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Anniversaries in Spain and China

Only a few days apart have come the first anniversary of the war in China, the second of the war in Spain. In both areas, the chief interest continued to be concentrated on other aspects than the day-to-day military advantage. In China, the Japanese sought to blast their way up the Yangtze-Kiang to Hankow, 135 miles away, while the Chinese put up a better defense than most of the military experts had believed was possible. How serious is the financial strain of this war is indicated by Japan's canceling the Olympic Games and by the recommendation of her Central Price Policy Commission that she should spend part of her gold reserve to buy war materials.

In Spain, the Rebels were making another desperate attempt to capture Valencia, and it seemed evident that Germany and Italy had sent in large new supplies of war materials. The British government was reported to be pleased that the hypocritical Non-Intervention Committee had accepted the plan for token withdrawal of "volunteers." Everyone knows it is unlikely that this plan will be accepted by both sides in Spain; even if it is, it will be months before it has any concrete effect. Britain, which has always wanted Franco to win and done what she could to aid him, is counting on delay as being in his favor. But this is not necessarily true; even the stupidest Frenchman seems to be waking up at last to the fact that if Franco wins, Germany and Italy will never get out of the Iberian Peninsula and that the French military situation will then be precarious in the last degree.

New Rumors of War

Europe has undergone another war scare. The German press, which does everything Hitler wants and nothing he doesn't, suddenly broke out in a rash of statements that the Czechs were mobilizing along the frontier. Czechoslovakia immediately denied these reports, while adding that the Germans themselves seemed to be moving up troops. The Prague government will soon announce how far it is willing to go in giving autonomy to the Sudeten Germans, and it is taken for granted that the conditions suggested will be denounced violently by Hitler. Other disturbing reports have also been published. It was said that a crisis had been created in the Far East between Russia and Japan, along the border between Manchukuo and the USSR, near Korea. This report was denied by Moscow, which said that reports came from Germany, who was seeking to muddy the international waters for her own purposes. Two other items of news suggested that Germany is interfering more actively in the Far East. When China sought to get munitions from a Swiss firm, Germans bought control of the company and canceled the order. When the Chinese turned to Poland, Germany bought up all the available arms. Anxiety has been expressed in London lest Prime Minister Chamberlain put into effect the Anglo-Italian agreement as soon as the British Parliament has adjourned, without waiting for the Spanish situation to be liquidated. Any such action would of course greatly weaken the "united front" against Germany in regard to Czechoslovakia. There have been so many alarming

CONTENTS

The Week 317

Editorials

Limit the War Power 320

The Auto Workers' Crisis 321

General Articles

Roy Howard George Seldes 322

Spain in War: III Waldo Frank 325

The Needle's Eye (verse) Florence Becker 327

Justice Cardozo: The Great Tradition 328

Westchester Women Bruce Bliven 330

Sharecropper Songs (verse) H. H. Lewis 331

Shoot the Works Heywood Broun 332

Washington Notes T. R. B. 333

Other People's Money John T. Flynn 334

People on Record Otis Ferguson 335

The Bandwagon 336

Correspondence 336

Books in Review

Self-Help and Government Aid 338

Poetry and Meaning John Chamberlain 338

Action Stuff Rolfe Humphries 339

Land of the Broken Promise Otis Ferguson 340

Fisher of Idaho Herbert J. Seligmann 341

New Books: A Reader's List 342

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reports from Europe in the last year or two that we have become hardened to them. Yet it remains true that the peace of Europe continues to hang by a thread.

Judge Fuller's Bargain

All this year's records for astonishing judicial action have been smashed by District Judge Homer A. Fuller of Newton, Iowa. He has been listening to the contempt-of-court proceedings against James B. Carey, international president of the United Electrical, Radio and Machine Workers; William Sentner, district president, and Hollis Hall, vice-president of the local which has been conducting a strike for eleven weeks against the Maytag Washing Machine Company. Judge Fuller decided these three men were guilty of violating an anti-picketing injunction and sentenced them to six months in jail and a \$500 fine apiece. Then, in the next breath, the Judge offered to parole the three guilty men, cancel their fines and protect them from any further action if they would call off the strike. Judge Fuller admitted, in his decision, that he had had no experience in labor disputes; that until this case he had not studied the law in regard to picketing and strikes. But he failed to admit what was so painfully evident from his attempt to bargain with the defendants: that his primary interest was not in justice but in breaking the Maytag strike. Meanwhile the Maytag Company, whose unwillingness to arbitrate the question of a proposed 10-percent wage cut caused the strike, continues in its stand. The management refused to offer Governor Kraschel any nominations for an arbitration board of three. Now it has announced it will not accept the board's suggestion that the plant be reopened without the wage cuts during a sixty-day negotiation period.

Palestine Perplexities

It is easy enough to point out that the troubles of the British in Palestine arise from the irreconcilable promises made respectively to the Zionists and the Arabs by British statesmen during the trying days of the World War; but this sort of "serves 'em jolly well right" philosophy contributes little to a solution of a problem which is rapidly becoming one of international gravity. From a military standpoint, Palestine is of vital importance both as commanding the Suez Canal and as the terminus of the British branch of the pipeline from the Irak oil-fields. From a political standpoint, it is dangerous as a rallying point for Moslem discontent and agitation in India and Africa. The new Anglo-French policy of rapprochement with Turkey, the desirability of countering German infiltration into Iran and of retaining the friendship of Ibn Saud, point toward an eventual solution of Palestine's troubles along the lines of Imperial and diplomatic expediency—a solution contrary to the hopes and interests of the Jews who have emigrated there.

Catholic Censorship Gone Crazy

All over the country, the Catholic Church is openly getting into politics through its efforts to prevent the showing of the motion picture "Blockade." We have already mentioned some of these efforts, in our issue of July 6. The latest action is in Boston, where the League of Catholic Women, the Massachusetts State Council of the Knights of Columbus and, according to their own statement, "fifty other Catholic organizations," have demanded that the picture be banned. Their theory that the film is "Communist propaganda" is disproved by the simple process of seeing it. Mr. Walter Wanger, the producer, carefully refrained from identifying either side with the Loyalists or the Rebels, and the film contains no political discussion whatever. The Catholics assume that Franco is meant by the unnamed "enemy" in the film who bombs and starves a civilian population. Catholic censorship which tries to keep Americans from seeing a film just because they assume that it refers indirectly to one side in a foreign war, supported by the hierarchy, is Catholic censorship gone crazy. In the long run, its result is likely to be harmful to the Church in America, where it is only a small minority of the total population.

Weirton and the NLRB

The National Labor Relations Board is to conduct a full investigation of what happened the other day at the hearings in the Weirton Steel Company case, and plainly, this ought to be done. The examiner in the case, who exercises quasi-judicial functions, refused to permit Clyde Armstrong, chief counsel for the company, to continue, charging that his conduct was "defiant, contemptuous and contumacious." The Tory press, always eager for an excuse to attack the National Labor Relations Board, lifts its hands in horror at this action. The New York World-Telegram, for example, speaks of "bias" and "high-handed methods." Judgment might well be suspended until the Labor Board's hearing is ended; meanwhile, however, we might remember a few interesting facts:

1. The examiner in question, Mr. Edward G. Smith, is not a man imported from New York or Washington, who might be expected to misunderstand Weirton's charming little folkways. He is a lifelong resident of West Virginia, a distinguished citizen, a former judge and the president of the board of governors of the state university.
2. Persons who have followed the hearings closely for the past eleven months say that the attitude of all the Weirton lawyers has from the beginning been one of studied insolence, as though they were seeking to provoke the Labor Board men.
3. Even with Mr. Armstrong removed from the scene, Weirton Steel still has six attorneys left, so its plight is not exactly pitiable.
4. Eye-witnesses tell us that the parades and demonstrations in Weirton

and nearby Steubenville against the Labor Board gave every evidence of being manufactured as artificially as a Hitler parade in Berlin. In Steubenville, one merchant said a Chamber of Commerce spokesman called him up and told him to close his place of business during the parade, or have his windows broken. 5. Equally lacking in spontaneity seems to have been the "mob" which gathered around the federal building threatening three attorneys for the Labor Board, so that they had to have police protection to get out of town. This mob hung Examiner Smith in effigy, loudly announced that the Labor Board men were "Jews" and as their automobile departed, shouted "There goes the United States government! Boooooo! Yellow!" It appeared to be composed of the same gangsters who for two years have beaten up spokesmen for the SWOC and have otherwise fought the organization of the Weirton workers.

Lesson Unlearned

Fighting the union is an expensive business. Republic Steel has spent \$392,120 between June, 1933, and April, 1937, on the development of its "employee representation" plan, plus \$214,129 fighting strikes and \$11,000 for munitions and tear gas, according to the first day's testimony of the Senate Labor Committee's investigation of strikes, which is now in progress at Washington. That is a high price to pay, especially since Tom Girdler and his associates have so little to show for their money. The employee-representation plan has been exposed as an ineffective anti-union device. The CIO Steel Workers' Organizing Committee is strong and the stiff-backed attitude of the management probably is making the work of the union organizers easier. The record of violence in the "Little Steel" strikes has advertised the proprietors of Republic Steel as symbols of industrial ruthlessness and greed. In the future the management, according to Vice-president Charles M. White, intends to pursue the same policy. Apparently Republic Steel is willing to cut off its nose to spite the union, and maybe even its head too.

Nazi Outposts in the Atlantic?

We have frequently pointed out the disastrous results which a Fascist victory in Spain may have for the democracies of Europe. The London News-Chronicle describes the direction in which the German General Staff hopes to exploit such a victory, and if this paper is right, Americans as well as Britons and Frenchmen have something to think about. The Nazi plan is nothing less than to convert Portugal—by force if necessary—into a German puppet-state, for the purpose of using not only Portugal's mainland, but her outlying islands and colonial possessions as bases of operations against British commerce and naval operations in the Atlantic. This would place German submarines and aircraft not only astride the normal British line of

communications with India and the Far East by the Strait of Gibraltar, but also astride the alternative route around the Cape of Good Hope. Such a plan would require, among other things, a German outpost in the Azores Islands, and it is this fact which should be disquieting to all thoughtful Americans. The Azores form an essential stepping-stone for the transatlantic air services which are just coming into being. They are 1,700 miles from Bermuda, considerably less than that from Newfoundland and only a little more than 2,000 miles from New York. In view of the aggressive quality of Hitler's foreign policies, such an extension of German air and sea-power to a base within striking distance of points in this hemisphere is disturbing.

The High Cost of Newsprint

The Federal Trade Commission is carrying on an investigation of the newsprint manufacturers' monopoly. No one, you would think, should be more pleased than the American Newspaper Publishers' Association. The 1938 price of paper has been raised simultaneously by all American and Canadian mills (with the exception of Great Northern) from \$42.50 to \$50 a ton. This increase, it is estimated, will cost American newspaper publishers \$4,000,000 a year. Paper costs are a very big item in the budget of the average newspaper, sometimes as high as 40 percent. And increases in production costs have been given as excuses for recent "economy" firings of newspaper employees. But in spite of the logic of the case, the ANPA is actively opposed to the FTC investigation, as an article in the current Guild Reporter points out. In a special bulletin the ANPA informs its membership that publishers are not obligated to give information to the FTC. It describes the investigation as a "fishing expedition" and the investigators as "inquisitors" and "intruders." Comparatively few publishers can be interested in protecting the monopoly that maintains the price of newsprint at absurdly high levels. They are the big interests who own their own paper mills or who enjoy special favor in the form of rebates. Has the ANPA been taken over completely by the powerful few? If it has any other explanation to offer, what is it?

News Notes of a Week

The refugee conference at Evian, France, adjourned after setting up a permanent committee with headquarters in London. The conference proved that no country is willing to take refugees except in strictly limited numbers. . . . President Roosevelt, who recently put through an unparalleled naval-building program, made a speech advocating limitation and reduction of armament; Sir John Simon, under identical circumstances, did the same thing. . . . The week's best joke came when the Italian government announced a policy of preserving the "Aryan" and "pure European character" of the Italian race. . . . An international wheat confer-

ence met in London to grapple, in a pessimistic spirit, with the economic problem created by bumper crops in many countries, and most of all the United States.

President Roosevelt's great barnstorming tour ended as he embarked for a fishing trip in tropical Pacific waters. His mild endorsement of Senator McAdoo in California was the last of a series that grew less fervent as he moved across the country; political reporters announced that the list of purgees was growing smaller under the pressure of practical realities. . . . Estimates of the federal deficit for the present fiscal year were moved up from \$1,000,000,000 to about \$4,000,000,000. . . . Samuel Insull, whose Chicago financial adventures beggared many thousands, died in the Paris subway. It was said he was practically penniless.

Limit the War Power

THE FRAMERS of the United States Constitution sought to limit the tendency of chief executives to enhance their power and lead their peoples into war, by providing that Congress alone should have the right to declare war and that the President's treaty-making power should be shared with the Senate. James Madison remarked in a letter to William Cabell Rives:

In no part of the Constitution is more wisdom to be found than in the clause which confides the question of war or peace to the legislature, and not to the executive department. Beside the objection to such a mixture of heterogeneous powers, the trust and the temptation would be too great for any one man. . . . War is in fact the true nurse of executive aggrandizement. In war, a physical force is to be created; and it is the executive will which is to direct it. In war, the public treasures are to be unlocked; and it is the executive hand which is to dispense them.

Hence it has grown into an axiom that the executive is the department of power most distinguished by its propensity to war; hence it is the practice of all states, in proportion as they are free, to disarm this propensity of its influence.

Yet the Constitution, as it has worked out in modern times, does not succeed in effectuating this purpose very completely. The President is the Commander-in-Chief of the army and navy; he appoints the Secretary of State and diplomatic representatives abroad; he can carry on private conversations with foreign powers, send public notes and make speeches containing important pronouncements of policy. Thus he can, in effect, create a situation, without the advice or consent of Congress, in which Congress is virtually compelled to declare war. President Wilson, and not Congress, led the country into war in 1917; when he finally came to Congress and asked for a declaration, the important decisions had been made. Debates in Congress dealing with foreign policy, in which criticism of the President's course may be heard while he is engaged in a controversy with a foreign power, are supposed to be

unpatriotic; Senators and Representatives will be wary of this sort of thing though they criticize the President on every other conceivable ground.

The danger in the incomplete control by the legislature over steps on the road to war have been illustrated clearly during the present administration. Congress, contrary to the desire of the President and the Secretary of State, passed the Neutrality Act. The great war broke out in China, but on the merely technical ground that this war was not declared, the President declined to invoke the Act. Not only that, but in Chicago he made a speech calling for "quarantining" of aggressors, contrary to the provision of neutrality. Thus a policy favored by Congress with the hope that it would keep us from drifting into a situation where war might become necessary has been blandly ignored by the Executive, who is bringing pressure to bear for a change in the legislature's enactments on the subject.

No matter how much we may approve of Mr. Roosevelt's general intent, and no matter how much we may trust him personally, this is a constitutional weakness that should be repaired. It is far more damaging to leave in the Executive's hands a virtually unchecked power over war and peace than to delegate to him those many powers in control of our economy against which his enemies have been protesting. A national economy requires the delegation of many details of administration if it is to be under public control at all, but there is no good reason for complete delegation of the major decisions on foreign policy which may result in war.

In Hubert Herring's suggestive book, "And So to War," an interesting suggestion is made to remedy this defect. Congress might by resolution require that the President consult with the Foreign Relations Committees of the House and Senate and obtain their consent before dispatching any important note, making any public declaration of foreign policy or entering into any commitment. Or an even larger special committee might be set up for the purpose, containing members of all minority parties. Of course the discussions of this body could be kept confidential. But it would provide for a continuous check on executive foreign policy by the legislature. It is possible that this procedure could be inaugurated without constitutional amendment, but if an amendment were required, it would harmonize with provisions already in the Constitution.

In parliamentary governments like those of Britain and France the Foreign Office is answerable to Parliament in any case, and the members may always put questions on foreign policy from the floor. In our government the President swings in an orbit of his own as far as foreign relations are concerned, and is completely out of touch with Congress on such issues. He himself would ordinarily benefit in advancing the policies he favors if the contact were closer. It would

be one excellent way to build up among the leaders of the nation a larger and better informed group conversant with foreign affairs in their important day-to-day aspects. It might do something to abolish the almost incredible naïveté which is our national failing in this field.

The Auto Workers' Crisis

THE NEWS that a number of presidents of local unions of the United Automobile Workers had asked John L. Lewis to intervene in the affairs of their international and heal a serious breach between the higher officials calls attention to a situation that may bring disaster to the advances won by organized labor in the industry, and one that could seriously weaken the CIO itself. Only prompt and statesmanlike action by those in positions of responsibility can avert even more grave trouble than has already occurred.

President Homer Martin recently suspended four members of the General Executive Board, and has since brought about the expulsion of one of them from the union. These members include the secretary-treasurer, Assistant President Richard Frankenstein, who until recently was one of Mr. Martin's staunchest supporters, and Wyndham Mortimer, a prominent leader of the group which has long been opposed to Mr. Martin's policies—a group which has been supported by about 40 percent of the membership. More suspensions and expulsions are likely to follow. This action is unprecedented, so far as we know, in union history. An occasional officer is thrown out for dishonesty or malfeasance of some other serious character, but the ejection of so many important and duly elected representatives of the membership, without any mandate to do so from the rank and file, is startling.

What is still more disturbing is the fact that this action immediately followed the defeat of Mr. Martin's position on a number of routine union questions, by a majority vote of the board. Previously, Mr. Martin had been able to command enough votes to support any policy he desired. But on this occasion he lost his control, and apparently feared he had done so permanently. The suspension of four members was exactly what was required to restore his majority.

This action naturally aroused alarm among the membership. Numerous locals, including virtually all the larger ones, have passed resolutions urging Mr. Martin, first, to reinstate the suspended and expelled officers; second, if he will not do that, to accept arbitration of the issue by Mr. Lewis, and third, as a final resort, to call a special convention to elect a complete new set of officers. There seems to be little question that a majority of the members are opposed to Mr. Martin's action in this case. Mr. Martin, however, is proceeding against some dissenting locals by remov-

ing their officers and trying to seize their treasuries.

Mr. Martin's defense consists of a campaign of defamation against his opponents, accusing them of being Communists, union-wreckers, promoters of unauthorized strikes, etc. The accused deny these charges, and in turn allege that Mr. Martin is incompetent and high-handed, that he seeks only to protect his position and power, that he is advised by Lovestoneites (Communist opposition), etc. They say that left-wing politics plays no part except on Martin's side.

We cannot at this time recount the long history of the factional quarrels within the union or pass judgment upon the specific differences out of which the present issue arose. But one thing is clear—that a continuation of Mr. Martin's tactics can have only one result, the splitting or wrecking of the union. He is acting at the same time as prosecutor, judge and jury. The interests of hundreds of thousands of workers in a strong and united organization are at stake. If he has a real sense of responsibility for the leadership that has been entrusted to him, he should submit the question to some higher authority. There are only two ways to do this—both suggested by the local presidents. One is to defer to the leadership of the CIO itself, and the other at once to call in convention his own union, from which his mandate was originally derived.

What would Mr. Martin—and the country—think if President Roosevelt, when he was defeated in the Senate, should expel from that body enough members to restore his majority? If the President of the United States is content to appeal to the voters on such issues, Mr. Martin can hardly excuse himself for not doing likewise. The present crisis transcends any question of union policy. No matter who is right about the minor questions, the major issue is whether the United Automobile Workers is to be a constitutional democracy or a dictatorship—or whether it is to exist at all, in view of the use employers would make of a division.

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Roy Howard

FOR THAT SMALL MINORITY in America which is truly interested in a free press and which associates a liberal and progressive policy with freedom, the gradual swing to the Right of the two dozen newspapers controlled by Roy Howard, and notably of The New York World-Telegram, has provided a major mystery as well as a major tragedy. The reactionary fact is obvious. Liberalism and progressivism have almost disappeared from these newspapers. One does not have to read between the lines; the headlines tell the story.

The basis for tragedy and the cause of mystery is the assumption that Roy Howard, who today is almost a dictator of what President Coolidge at a United Press banquet called "a world power, influential beyond the dreams of any of its founders," has inherited the spirit and policies of that famous "Lusty" Scripps who built up this vast power which controls so large a part of American public opinion today.

When Edward Wyllis Scripps founded The Penny Press (now The Cleveland Press) in 1879 he had to borrow the money. Today the Howard empire is worth about \$100,000,000 (of which \$28,000,000 is real estate) plus another \$10,000,000 for good will.

"Lusty" Scripps became a millionaire but never lost his integrity. He realized from his early days in journalism that it is almost impossible to have a free press unless advertising is practically eliminated, but he never surrendered to the financial and business pressures. He wrote Lincoln Steffens he would prove "that the people can have a free press, not only without having it subsidized or endowed, but a free press that will not only support but magnificently reward those who conduct its various units."

Lusty Scripps was worried by too much money. He made a lot but feared its corrupting powers. He wrote soberly that it was his desire to publish "the poor man's advocate," he warned his editors never to forget "to serve the humble people who are our principal clients," and he would break out with a wild "God damn the rich! God help the poor!" when he lost his temper. Steffens found him sincere and not cynical; he "avoided other rich men so as to escape being one; he knew the dangers his riches carried for himself, for his papers, and for his seeing." Scripps set the Scripps-Howard chain ideals: public service; positive justice as between man and man as men; the promotion of equality of opportunity; the putting into the homes of workers who had little time to read of honest, fearless thought, in clean, concise form; impartiality incorruptible by social, political or financial influence; and the square deal all around without fear or favor.

Robert Paine Scripps, the frustrated, sensitive son of

the founder, became the largest stockholder and apparently the inheritor of the liberal tradition, but he was not an active progressive force. None doubted Bob's sincerity but all realized that the other partner, Roy Wilson Howard, who in 1912 had become head of the United Press and in 1922 a partner, was now the dominating leader and would-be dictator.

This is the same Roy Howard who told the Chamber of Commerce of Denver on the occasion of a banquet given him to honor the establishment of a Scripps-Howard newspaper, that "We are coming to Denver neither with a tin cup nor a lead pipe. We will live with and in this community and not on or off it. We are nobody's big brother, wayward sister or poor relation. We come here simply as news merchants. We are here to sell advertising and sell it at a rate profitable to those who buy it. But first we must produce a newspaper with news appeal that will result in a circulation to make that advertising effective. We shall run no lottery."

Here in the statement of intentions we have a pretty fair history of the rise and fall of the liberal Scripps-Howard press. The elder Scripps twice tried ad-less newspapers because he knew that no free press can ever exist which owes a first allegiance to business; he supported labor unions in general and raised money for picketers, and he was not afraid to dedicate his press to the workingmen. The younger Scripps lived in the shadow of his fatal illness, but he wanted a press befitting a nation of free men. And the present head of all the newspapers, news services, radio stations and other means of manufacturing public opinion in America, says "We are here to sell advertising."

"Lusty" Scripps died in 1926. Bob Scripps died in 1938. The Grim Reaper has played the role of Santa Claus for Roy Howard. He has delivered him a vast journalistic empire now free from traditional journalistic idealism.

Free at last from the Scripps "soul," from the utopian idea of a newspaper defying advertisers and business, Roy Howard has begun to follow Hearst in Red-baiting and labor-baiting. He has begun the suppression of his highly paid columnists, has altered their views, and he has gradually changed the policies of his papers from liberal to phony-liberal and eventually to a more honest anti-liberalism. He has done so at a critical time in our history when not only writers but everyone with a minimum of intelligence is taking sides, and when it is easier to see the Right side on which there is always butter, than the Left, which may be unbuttered or only a mirage. The renegade woods are full of lost leaders.

Roy Howard's only relation to progressive ideals was a journalistic marriage. It is the public which made the mistake of confounding a marriage of convenience with a union of liberal minds. The Scripps-Howard outfit did have an ideal, a program which it respected and a crusading spirit, but no one can accuse Roy Howard of giving more than a Bronx-cheer sort of adherence to it during the Scripps lifetime. The Scripps "soul" and the Howard police reporter's soul co-existed for decades without influencing each other.

From his youth Howard devoted himself to making money and gaining power. Only so long as the old Scripps brand of liberalism paid, did he stick to it. After all, every newspaper and every affiliated enterprise which Scripps dedicated to "the common people" had paid six percent per annum or more and there was no reason to change the policy. Not for a long time.

The change, which is now obvious, did not come—as many, including some Howard employees, believe—with his opposition to the Roosevelt administration reforms, the NRA, the ill fated (and hypocritical) publishers' code, the NLRB, the Wagner Act and other social-economic developments which directly affected the pocketbooks of all publishers and drove them in a raging stampede against the New Deal. Actually the change came ten years earlier and was the result of the campaign of the elder La Follette for the presidency.

Scripps-Howard editors were for Robert La Follette in 1924. Their selection was natural, in harmony with Scripps traditions, but Howard went along reluctantly. No one expected La Follette to win, but it was a good fight. The Scripps-Howard press had to its credit a fine showing in all its towns and a real victory in Cleveland, where The Press, the largest and most powerful of the journals—until the formation of The World-Telegram—carried the city for the Progressives.

The shouts and editorials of triumph made Scripps-Howard men feel good—all but Mr. Howard. He was not looking at the election returns, he was looking at the box office. Business and advertisers (the supporters of the Republican and Democratic Parties) had attacked the chain in its vulnerable spot, the till, and the politically successful Cleveland Press had lost a tremendous amount of advertising and a lot of money.

Scripps-Howard editors are supposed to have the right to vote on their choice for President, and in 1928 the majority declared themselves on the side of Al Smith, but Howard was for Hoover, and it did not take much maneuvering to bring the editors into line with the boss. The chain supported Hoover. Four years later it would have been suicidal to renew that support and Howard very wisely went over to Roosevelt, to whom he remained faithful until Rooseveltian legislation, alienating the affection of most big business, made an enemy of between 70 and 85 percent of the press in 1936. At least ten percent more joined

the attack in 1938, the most powerful element being Howard's twenty-four newspapers.

Since he became so powerful Roy Howard has also been playing a behind-the-scenes role in American politics. Up to the time of the War, and for some years after it, he had been content with being a newspaperman. He still considers himself a "working reporter" and would not hesitate to cover a fire if he found himself exclusively present. But Howard is also one of many newspaper editors and publishers who suffers from the Northcliffe complex.

Northcliffe had Napoleonic delusions. He wanted to rule England, and the greatest disappointment of his life was not being named Prime Minister in wartime. The Northcliffe phase, which many American editors copy, is being the make-or-break power behind the scenes. Howard today would like to make or break Presidents and plot the course of administrations. He tried in 1932 to name as Democratic candidate for President Newton D. Baker, his own company's attorney, which would have allied him with the Wall Street movement to stop Roosevelt, and with Tammany, and a year later he was attacking Tammany in his support of LaGuardia. Opportunism goes with Napoleonic and Northcliffe ideas.

In his battles with the Newspaper Guild, Howard has also played the *deus-ex-machina* racket. It had been expected that the liberal Scripps-Howard outfit would be the first to sign because it was the only newspaper chain whose official program was support of labor and unionization. After a year of negotiations the Guild accused Roy Howard of shadow-boxing, stalling and straddling, while The New York Post, recognizing the union in mid-summer 1935, editorially suspected The World-Telegram of hypocrisy in its fight to change the Wagner labor law and its failure to deal with its employees. This was a decisive moment in metropolitan journalism; it was the offer of The Post to replace The World-Telegram as the successor to the old New York World, which post mortem has become the ideal of liberal journalism in America. A year later The New Republic exposed the fact that Howard was circulating anti-Guild diatribes to fellow publishers. Finally in April, 1937, when The World-Telegram signed a contract which omitted the preferential shop and the United Press men voted to join, The Guild Reporter thought these employees had not been impressed by the publishers' "falsehoods." The Reporter accused Howard of playing politics with other publishers, of making them save his chestnuts. Loyal Guildsmen were now calling Howard "our No. 1 enemy."

From fighting the CIO-Guild to fighting the CIO program is but a step, and from there the road leads to general anti-labor propaganda, Red-baiting and a reactionary program. This is part of the pre-Fascist pattern in America. Roy Howard is well on the road.

When, recently, he engaged Benjamin Stolberg to write a series of articles purporting to expose the CIO by charging Communist intrigue or control of the new and most important labor movement, the organization's press department replied by calling Stolberg a "poison penman." Stolberg was deeply hurt; he explains that all he wanted to do was to warn certain friends in the CIO against Communist influence.

A study of how the Scripps-Howard papers throughout the country treated the Stolberg series confirms the bankruptcy of their liberal policy. In New York the transport workers' leader Michael J. Quill demanded space to reply and the publication in *The World-Telegram* of a letter saying "your paper has chosen to share the disgrace of the Hearst press" and accusing it of "suppressing the truth." Only a limited amount of space was given and the really damaging parts of the letter were suppressed. In Toledo *The News-Bee* suppressed John Brophy's attack on the Scripps-Howard outfit and *The World-Telegram* delayed mentioning it for three days. In Akron the *Howard Times-Press* was condemned by the Industrial Union Council. In San Francisco a number of the most damaging statements unfavorable to Bridges did not appear. In several cities boycotts were threatened and Howard papers were compared to Hearst's.

In New York this similarity was particularly noticeable in the campaign against the appointment of Simon W. Gerson, a Communist, to a small municipal post. Neither the fitness of the man nor the legality of the action was attacked by either Hearst or Howard; it was purely Red-baiting and the difference was in the size of the type. Moreover it is now known that Howard used the telephone liberally in carrying on a personal campaign against Gerson. He wanted to manipulate a dismissal and to report it exclusively.

The same similarity to Hearst is also noticeable in the recent Pennsylvania, Oregon and other elections, with Howard headlines paralleling Hearst's in "CIO Plowed Under" and "Lewis Rebuffed in Bid for Power" and the inevitable "New Deal Repudiated." One has to read the liberal weeklies today to find out that the CIO was not plowed under, just as one had to read the same weeklies years ago to find out that Lenin had not shot Trotsky and Petrograd had not "fallen" to the Whites ninety-six times. Nor has Lewis been smashed and the New Deal repudiated. It is a fact that frequently the bulletins of the National Association of Manufacturers have been fairer than either Hearst or Howard headlines.

One test of a free press, if not the greatest, is its resistance to pressures. When Heywood Broun was fired from the old *World* eleven years ago it was for writing a piece beginning "There ought to be a place in New York for a liberal newspaper" and ending with an attack on the pressure groups which make cowards

of editors and destroy the courage and tenacity of the press. He said the Irish-Catholics formed one of the most powerful pressure groups and that all editors "live in mortal terror" of the power of the Catholic Church.

These words are still facts today. It was no surprise then to see the Howard newspapers suppressing Pegler's column a few weeks ago in which this pugnacious writer, himself educated in a Jesuit school, very rightly told the simple truths about the war in Spain, with the conclusion that "if I were a Spaniard who had seen Franco's missionary work among the children I might see him in hell but never in church."

Fear of Catholic reprisals suppressed this column, but what excuses can Howard give for a whole series of suppressions of columns dealing with labor, economic and social subjects, all of which have a liberal tinge? General Hugh Johnson, for example, had his column in which he called John L. Lewis "one of the best," suppressed in *The World-Telegram* and other papers and nevertheless wrote a fortnight later in another column that he is uncensored, that liberalism still prevails in the Scripps-Howard press, that "I am permitted to say what I please," and that "it couldn't happen in any other country." It happened to him and he did not know it.

Heywood Broun, one of the few syndicated non-reactionaries, is not only suppressed frequently when his views offend Howard but his daily copy is actually censored by Lee Wood, the executive editor. On *The World-Telegram*, Wood has frequently mowed down Broun phrases between the first and final editions.

Raymond Clapper, Dorothy Dunbar Bromley, the artists Rollin Kirby and Wortman have been censored, eliminated or told to do things to which their consciences objected. They have in all instances been the victim of the Howard swing from liberalism to reaction. The public of course has known nothing of these events, but lately letters from puzzled readers have begun worrying Howard. He has been forced to reply personally. Here is a typical explanation:

If by the terms "curtailed or blocked out" you mean to inquire whether columnists writing for *The World-Telegram* are having their matter submitted to a censorship calculated to omit controversial statements or statements in opposition to the editorial policy of the paper, we will say that the answer is no.

The World-Telegram has available for its use each day the signed product of some twenty-five columnists whose stuff is contracted for by the paper. Space limitations make impossible use on any given day of much more than half of this stuff.

In the selection of that matter used the same test of quality, importance, interest and readability is applied as in the case of all other editorial matter. . . .

The complete answer to Mr. Howard's contentions is the state of alarm which pervades the offices when a

Johnson, Pegler or Broun column fails to arrive on time. They are high-priced columns and every omission raises many protests. The claim that these men are included in the daily choice of twenty-five is self-evident nonsense.

Mr. Howard is also terribly sensitive to remarks about his abandoning the New Deal. One would think nothing of the sort had happened, and all his attacks, editorials, cartoons and headlines merely friendly criticism of a beloved President and his laudable policies. When on July 1 The New York Daily News said the time had come for a senatorial investigation of the press, beginning with itself and the pro-administration newspapers, "then the anti-New Deal Scripps-Howard chain," Roy, who heard about it on his yacht, almost shouted down a small-town pay station dictating an editorial suggesting the investigation would enlighten those who think "there is some sinister and mysterious control" behind publishers; and as for the New Deal, "we have not been a rubber stamp . . . that being contrary to our conception of liberal and independent journalism. . . ." But, "if or when the Scripps-Howard newspapers decide to part company with the New Deal, announcement of that fact will appear in these columns and no reader will find it necessary to seek elsewhere for the information." Mr. Howard has apparently forgotten the school-boy axiom that front-page actions speak louder than editorial words.

The significant feature of the Howard case is that it illustrates better than anything I know the recent his-

tory of American journalism. William Allen White tells us that in his youth it was still possible to borrow a couple of hundred dollars and start a newspaper, whereas today you must be a capitalist to operate in a country town. "Lusty" Scripps was one of those youthful idealists who started newspapers without big money. He lived through that second important phase of American journalism, the age of compromise, which closed with the death of The World. Today, when journalism has become not only a business, but a large investment which must never be put in jeopardy by offending other large investments, Howard naturally eliminates whatever is left of the pioneer liberal spirit.

It is gratifying to note that William Allen White, now president of the Newspaper Editors' Association, admits that our newspapers are capitalist, that capitalism is class-conscious and that "it is that class-consciousness which is discrediting the press of the world today." How his fellow editors roared when Upton Sinclair said the same thing in 1920. And how well Roy Howard proves the statement in 1938.

On all the Howard papers there is the old Scripps lighthouse with the inscription: "Give Light and the People Will Find Their Own Way." Some of Howard's employees refer to it as "the light that failed." They suggest in place of the lighthouse a collection of moneybags with the quotation from Juvenal: *Crescit amor nummi quantum ipsa pecunia crescit*—the love of money grows as the money itself grows.

GEORGE SELDES

Spain in War

III: *The Meaning of Spain*

IN WRITING of Spain's leaders I have omitted the poets. Unlike most wars, Spain's struggle has an exalted literature: another proof that the war itself is symptom of a deep event, of a cultural birth. The most vital magazine in the world today is *Hora de España*, first published in Valencia in January, 1937, as a successor to the weekly *Mono Azul* which rose in Madrid, swift as a barricade, and gathered the first ballads of the already world-famous "Romancero de la Guerra Civil."¹ Now *Hora de España* appears each month in Barcelona. Its contributors, half of them usually at the front, range from the classic liberal poet Antonio Machado to Leon Felipe, prophetic anarchist; from José Bergamin, Catholic Platonist, to the Communists Rafael Alberti and Serrano Plaja; from Rafael Dieste whose plays that have won favor with

popular audiences in Madrid embody in modern terms the organic vision of Spain's sixteenth-century mystics, to poets and prosemen like Emilio Prados, Luis Cernudo, Juan Gil-Albert, José Moreno Villa, María Zambrano. "*Al servicio de la causa popular*" runs the rubric of the magazine: you might expect a literature of the sublimated slogan, the poster, the soapbox—something after the manner of the periodicals of Moscow or The New Masses. There is plenty of that in Spain. But *Hora de España* without raising its voice expresses the Spain that the slogans are about. It articulates the beginning of a complex harmony of experience that must (unless catastrophe intervene) be Spain's life tomorrow.

I have seen the death in Spain—the maimed towns, the desperate women, the children with broken hearts; but if there is a part of Europe in whose future I have confidence, it is Spain. I know the odds. Spain has been tossed to the Fascist wolves by England's cowardice and with France's connivance—to save a little longer

¹ A selection of these ballads was published by the Vanguard Press, 1937, under the title "—And Spain Sings." The adaptations are by such poets as Edna St. Vincent Millay, Genevieve Taggard, Muriel Rukeyser, W. C. Williams, etc. The book is edited by M. J. Benardete and Rolfe Humphries.

those gelded democracies and their imperial fat. Reason has told me, as it has told you, that soon or late, if France, Britain and America continue to refuse Spain arms, the sheer mass of armament and slow starvation must crush the government of Barcelona. But Spain's future no longer ultimately depends on that government, except in the crucial negative sense that it must resist till Spain itself is wholly born. Spain's greatness in the past has been the possession (in a latent form) of human beings intact beyond the reason or experience of the rationalist civilizations. These integral men and women must survive; even Germany's new compressed-air bombs can't kill them all; and the two years have lodged in them the capacity to mature in terms of modern action.

The *movimiento* of July, 1936, began as a civil war. The world should know this war is over. Mussolini and Hitler in close conference with Spain's rich and their generals thought they were buying cheap a friendly Spain: a few arms, a few million liras, a profitable field practice for their own airmen and technicians would be the cost. No one, least of all the City of London, dreamed of a long war of independence. This war has liquidated the civil war. When the inevitable hour comes, through European complications, of German-Italian withdrawal from Spain, the inward struggle will be resumed. Yes, but in different terms.

The growth of Spain since 1931, when Alphonso XIII fled from the "peaceful revolution," has been unparalleled. Violence like a fierce fever almost destroying the organism has purified Spain. When the phase of civil conflict returns, most of the factors of violence will be gone. Spain will be an industrialized nation, her mines and shops under central control with bodies of technicians and trained syndicates of labor. Spain's farms will be rationalized.¹ Spain's army schools will have wiped out illiteracy. Spain's parasite enterprises—all the huge luxury and vice impedimenta of a half-feudal, half-capitalist country—will have vanished; and with them the parasite classes (not omitting a large proportion of the convents). Even deeper will have been the psychological change. Spain will have let with her blood most of the degenerate-sadist elements that feed on outrage. The sick old world creates them everywhere; yesterday they made Vienna hideous: tomorrow perhaps London or New York. And the violent solipsisms that were a defect of Spain's virtue of self-sufficiency are gone forever: Spain has been forced to be international minded. Anarchists have learned the relevance of order; Basque Catholics know what they have in common with the revolutionists of Andalusia. Of course there will be trouble, anger, heartbreak. But a spiritually purified people, intellectually awake, will contain the conflict. The es-

¹ For instance, in the districts near Madrid, on the Loyalist side, the production of wheat this year exceeds that of pre-war years by 37 percent. Modern war in certain ways has proved less of a drain on Spain's farm economy than feudalism.

entially *liberal* genius of the Spaniard, which was subdued in the fifteenth and sixteenth centuries by Rome and the uneasy monarchy, and which has tried to rise again ever since the Cortés of Cádiz, will—sustained now by a revolutionary economy of plenty—inform the new Spanish system.

Nor do I say (please get this straight!) that the years of war will have done this miracle. War simplifies downward all the emotional and mental powers; war pushes upward (like capitalism, that trench-state of war between individuals, classes, nations) all aggressive and destructive forces. The results of war of course are evident in Spain. And Spain has had endemic war, more or less, since Napoleon. What else has this war done? In antithesis to the detestable traits, it has crystallized a process of change long since working, and now ripe. (That it was nearly ripe, those of us who have known Spain have known for twenty years.) It has been the moment when the quantitative change of generation became qualitative. There is after all the moment when the bud opens, the flower stands on the branch, although all the plant's life and all the seasons have led up to it. There is, to shift the metaphor, the moment of birth. And there *is* a difference between wars.

Necessity, beautiful and terrible in its symbol, has shaped all this tragedy of Spain. By what has happened, the rebellion, the invasion, the impotence of France, the malevolence of Britain's government, Spain has once more become actively Spain, and as such a creative force in Europe and the world.

The Republic in its first phase was romantic-rationalist; and Spain is neither. Romanticism and rationalism are expressions of that fragmentary view of man which has written modern history with tragic consequences visible at last even to French and British liberals. Spain has always resisted this atomic view. Since the resistance was largely instinctive, it has taken an irrational form (from "Don Quixote" to Unamuno); but the irrationality is not against Reason in the sense of Spinoza or Hegel, it is merely against that abortive and rachitic pastiche of Reason which the pitiful democracies of France and England (and the United States) accept as reality. This irrationality has expressed itself not only in art but in blind political rebellions from Carlism to Franco.

Another weakness of the Republic in its first phase was its political isolationism. The Spaniard as a consequence of his full inward life has been unaware of the world. In strength, he went forth to conquer it, to absorb it literally and ideally without knowing what it was, as under Isabel and Philip II. In weakness, he forgets all about it. The Republicans of 1931 forgot that Spain has coal, iron, zinc, tin, lignite, graphite, potassium, antimony, copper, lead and other goods which British money, ever hungry, and the new hungry of fascism, might covet. They forgot that nothing

is weaker than transition; and that Spain, in her chaos between an agrarian-Christian synthesis that has lasted too long and a whole-human integration not yet ripe for birth, was weak and had better look to her neighbors.

Therefore the tragedy of Spain with its European economic-political motives corresponds to a psychological weakness of Spain's people, and has the effect of curing it. And the result must be (again short of catastrophe) the liberation of Spain's cultural strength which will prove a great force in counteraction of Europe's and America's cultural weakness.

Fascism has an ideology, and, whatever its variations, it is always the attempt to *totalitarize* some fragment of the whole: a race or nation, a class, a single set of values and emotions, is by violence taken for the whole; and what does not fit is suppressed. This is fascism, and its relation with many older creeds of modern Europe, founded also on a fragmentary view of man (and many of them humanitarian, liberal, revolutionary), must not be denied. Fascism's enemy is any race, culture, creed, philosophy and art which aspires to the truly universal. And by an instinct profounder than their minds, all Fascists therefore are sworn haters of the Jews; for the Jewish tradition since the Prophets has been to refuse all syntheses less than the universal. The same is true of the Spaniard. Not every member of a culture expresses it. Plenty of Jews have been partisans, even inventors, of fragmentary creeds; and many of them still flirt with the Fascists. Plenty of Spaniards in this war have proved their alienation from the Spanish genius. But the Fascist intervention has been a necessity of the deepest traits, negative and positive, of Spain's culture.

On my last afternoon in Barcelona, I told an audience in the old Ateneu why Spain must accept the official defection of the British and French democracies, as a necessity also of her own culture which has rejected *their* false notion of man and of reality. From where I stood on the podium with a little oil lamp to light my notes, I could see a stair and a wing destroyed a few days before by one of those little Italian bombs that smash only what lies within a ten-yard radius. Fascism, I said, is the bomb against Spain: but the rationalist modern creeds that have shrunk the arm, dried the heart, divided the spirit, of the democracies of Europe are Europe's impotence to stop the bomb. It was exciting to feel how swiftly my audience, who had braved the Ateneu's dangerous exposure near the port, understood what I meant. Is it reasonable to expect the peoples who cannot live in the house of their own constructing to have the force and the generous strength to help Spain?

Four hundred years ago, Spain was the instrument by which medieval Europe, about to die, created the Americas. What Columbus failed to get in the other

more reasonable courts, Spain gave him: ships and money and men to sail west. And the Hispanic peoples (including of course the temporarily alienated Portuguese) ahead of the French, the Dutch, the British, opened the continents: sailed up the Hudson, followed the Amazon from the Andes to the sea, conquered civilized empires in Peru and Mexico, flowed east again with the wide rivers to Patagonia. Why Spain? Because Spain, unified and energized by her wars against the Moors, took at last to heart the ideal and the will of Christian Europe, with an intensity, a ferocity, a wholeness, that the rest of Europe could not equal. The cycle has rounded. Europe stands again at a nadir of disintegration in which all its values must be transposed or *lost*. Again Spain with her passionate wholeness may rise from war and move to integrate these values, losing no jot of them, in the body of a new historic action.

If Spain's soil today is being defiled by all the pathologies of Europe (symbolized in German bombs, Italian tanks and Downing Street pacts), Spain's people have become wondrously alive to all the world's human values. What the poets of the "Romancero da la Guerra Civil" sing in their quiet verse, I have heard sharply expressed in the factories and trenches. Spain's men and women are awake. They read Marx but they have not forgotten San Juan de la Cruz. They read about Einstein but they have not forgotten Don Quixote. They laboriously examine the techniques of Detroit shops, but their minds cherish their own Ferrer and Durruti. Spain, in agony but not in terror, resolutely moves toward the freedom in which she may create a society with the measure of her genius: the sense of the whole man, whose feet are rooted in Spanish soil and whose head breathes the airs of the world.

WALDO FRANK

This is the final article in a series on the situation in Spain. — THE EDITORS

The Needle's Eye

How little is a life, how frail
The box that holds the holy grail
Above the moving serpent of the spine.
How faint the bellows, and how fine
The pump—oh, how a splinter out of place
Can stop a hero, leaving just a trace
Of copper, carbon, other elements,
Assaying—shall we judge?—some ninety cents.

But let the vehicle remain intact;
The super-structure—gorgeous artifact—
Built by the soul-bird in its friable nest
May fall dishonored by tomorrow's test:

Is he set parallel to the rising sun,
Furnished for siege—and with a turret gun?

FLORENCE BECKER

Justice Cardozo: The Great Tradition

BENJAMIN NATHAN CARDOZO stands in the great tradition. It was his office to shape the law to the needs of the land. If an institution is to live, it must continue to renew its youth; and the law, steeped in ritual and heavy with precedent, has never found it easy to slough off the obsolete and to make way for novelty. With a look ahead—and without a break with the past—it must be kept an enduring instrument of justice. Cardozo was concerned, within the orbit of his influence, to make articulate the awakening impulses of the age in which he lived.

His appearance upon the judicial scene was too quiet to be dated. In 1914 he was “designated” to sit upon the New York Court of Appeals. In 1917 he became, by election, a regular member of that tribunal, and ten years later he was chosen Chief Judge. It was a “good court” to which he was appointed; and presently it was “Cardozo’s court,” for his leadership was recognized by colleagues and public alike long before he became “the Chief.”

The manner of the man made him the leader. The quiet charm, the high button shoes, the play of mind, the eagerness to learn, the infectious personality made one a follower. Cardozo was, as his office demanded, “learned in the law.” He was able to match syllogisms or citations with the best of his brethren. He was much too aware of the tricks which fictions and symbols, labels and verbalisms play upon the nodding judge to be taken in by them. He understood that color of word is as important as choice of category; that the telling phrase counts for as much as the march of logic; that the start of the argument depends upon the way the question is put. Yet he never forgot that back of the legal issue lay a human tangle fresh from life which the court must resolve as best it could. And to him the law was an instrument of social as well as personal justice. He had the rare gift of probing through the mazes of a voluminous record, grounding his judgment upon reality, and fitting current necessity with the verbal trappings of the ancient law. Thus he led, and did not drive, “his court.” His appeal lay in his powers of persuasion; he required no office to give effect to what he never thought of as his “authority.”

For eighteen years Cardozo carried on at Albany. The state courts touch men at every point. The judge who would, amid the hubbub of change, hold the law to its office of justice must be a Jack-of-all-trades. The rights in land, the confusion over inheritance, the equities in corporate property, a law of contract as broad as all business, the havoc wrought by “a dangerous instrument” called the automobile, the bothers of recently emancipated women, the safeguarding of the worker in a society madly gone industrial, the prob-

lems which the growth of the city brings—all these and a hundred more were constantly before Cardozo’s court. There is hardly an aspect of the law—from the definition of insanity to the rights of the trade union—which at his hands did not feel the impact of a larger humanism. Under his direction the Court of Appeals became the best court in the land. What it decided today was likely to become the law of many another commonwealth tomorrow.

In 1932 Cardozo became a member of the United States Supreme Court. He appeared—with some reluctance on the part of the Chief Executive—as the inevitable successor to O. W. Holmes Jr. Liberals and lawyers, labor unions and business executives—hardly one in faith, in doctrine, or even in charity—were united in a demand for his judicial services.

The translation from Albany to Washington was an abrupt change. A number of discerning persons regretted the move, for they considered his old work fully as important as the new. The elevation removed him from the environment in which he had always lived, disturbed the habits of a lifetime, and made more difficult contacts with old friends. The atmosphere of the new Court was colder, its personal differences sharper, its spirit of coöperation less manifest than the one to which he had been accustomed. It was, with brilliant exceptions, less able than his old bench and some of its members were stubborn beyond all reason. The spirit of the Court was still that of Mr. Justice Field—a generation ago gathered to his fathers. It was America on the make; the accent on liberty-and-property was on the last word; the voice of no group other than corporate wealth had as yet become clearly articulate. Power still belonged to the Harding appointees; official moves toward liberalism followed the timid paths of Hughes and Roberts. Holmes had for thirty years kept alive the ancient notion of the “common good” encrusted in the doctrine of the police power. Brandeis was blazing trails for human rights which the law was later to follow. Stone was bringing to decisions the skepticism of the law teacher and the passion of the unbiased judge for the truth. The era which closed with the retirement of Holmes was great only in the-law-to-be enunciated by this trio in dissent.

To Cardozo the hurly-burly could not mean what it meant to the others. Holmes had been an Olympian to whom the judgments of “the most powerful court on earth” were merely casual incidents in the annals of man. Brandeis was a militant champion of democracy, anxious to spread his opinions upon the record and certain of the ultimate outcome. Stone—more objective, concerned rather to find out than to reform, willing to allow the causes themselves to dictate his

judgment—had dug in for the long siege. But unlike them Cardozo could not meet such a situation as a pioneer adventure. Matters on which the Court divided were often water which had already passed under his bridge. He was asked to turn back the clock; to re-fight, against an unreasonable opposition, old battles; to lay low doctrines which he regarded as ghosts. He was, by character and experience, one who went along with the group. In his old court he had by sheer ability become the leader. In his sixties, high office and circumstance made of him a dissenter.

A term of six years is short as tenure goes. Until within half a year of the end he remained the junior Justice; he welcomed only one new colleague to the inner circle. Yet Cardozo could hardly have turned his years to fuller account. He handled his share of the ordinary work of litigation and, because of his eminence, his assignments were rather better than a novice might expect. He spoke for the Court in all sorts of causes; and in such matters as the regulation of railways, the valuation of utilities, the imposition of fiduciary obligations upon those who handle other people's money, the fortification of sources of revenue against the tax-dodger and the emancipation of administrative bodies from irrelevant legalistic procedures, his was the voice of the Court when advanced positions were taken. He did much, in sharpening the lines of decision by concurring opinion, to read the protection of civil liberties into the Fourteenth Amendment. He repeatedly refused to sacrifice the rights of man to niceties in procedure or to allow precedent to defeat the public interest.

It was, however, in respect to the New Deal cases that he did his most distinctive work. He nowhere expressed a personal approval of measures, for they involved policy and did not pertain to his office. But he recognized the fact of the national economy, was aware that the secret of industrial order still evades us, knew full well the necessity of trial and error, and was unwilling to deny to the government the power to govern. It was a turbulent time. Business challenged the validity of statutes; federal judges nullified legislation with injunctions; and even the Court itself gave aid and comfort to "the higher lawlessness." Nor was the atmosphere of the bench conducive to unbiased inquiry. The stalwarts gave vent to opinions that stemmed from sources far deeper than mere legal convictions. In an unreasoning fear of the President's power the thought of Hughes drifted far from its familiar moorings; and the ghost of fascism appeared for a time to deflect Brandeis from his orbit. Even Stone sided with the majority in the "hot-oil" case.

But throughout, as a lawyer and a judge, Cardozo maintained the even temper of his ways. He kept his vision keen and true, and refused to allow constitutional issues to be muddled by seeing things at night. In the hot-oil case he saw that the charge of an

improper delegation of power was out of step with the march of constitutional doctrine. In the NRA case, he—and Stone—clearly perceived that "the industries of the country are too many and too diverse" for Congress to set up definite standards for regulation. In the Coal Commission case he insisted that there was nothing sacred about a "free competition" which did not work and that "the liberty protected by the Fifth Amendment does not include the right to persist in this anarchic riot." It is to Cardozo that credit is due for preserving the spark of sanity in a period in which even jurists went into a panic. It is to his everlasting credit that during the darkest of days he could meet intolerance with tolerance. In the spring of 1937 the fog lifted; a new era began for the Constitution—and a few months later Cardozo left the Court never to return.

Thus Cardozo has place in a great succession. His work entitles him to rank with Holt and Mansfield, Gibson and Shaw and Cooley, Marshall and Taney and Brandeis. They are alike in making the law the instrument of justice; the craft of each reflects the manner of the man. In all else Cardozo is as unlike them as they are to each other. A Marshall or a Shaw can in cathedral tones lay down the eternal verities; a Cardozo can only set down in its finiteness the best of his understanding. The judge who has discovered truth can make no mistakes; a Cardozo is still Cardozo even if he fails to find a place for the milkshed within the federal system, allows a vindication of the Negro's right to vote in the primary of his choice to be defeated by circumlocution and is guilty of an occasional slip-up which the specialist gleefully points out. For to him law is no revelation immune to growth through knowledge and experience.

Even in such a company Cardozo has distinction. From his law the ghost of theology has vanished and the spirit of trial and error has come to the aid of logic. His craft is never more than the instrument of justice; fact, value, the-difference-it-will-make are at hand to define legal concept and to direct legal argument. An ordinary judge often rises to the heights in a great case; it takes the great jurist to achieve the significant result through a scattering of ordinary cases. Yet, even when confronted with petty causes, Cardozo never descends to clerk's law; he is the artist in miniature as well as in masterpiece. Only Holmes is his equal in suiting his words to the very life of his ideas. In the practice of his craft a great judge may be a man of letters. We owe it to Holmes and Cardozo that in the law journals, almost alone among learned periodicals, literacy is still respectable. Cardozo took his task from Holmes, carried on for a time, and leaves an unfinished work to another.

Cardozo is gone—the great tradition remains.

WALTON HAMILTON

Westchester Women

I HAVE BEEN TALKING LATELY to my friend Beatrice, whom I have known for many years and of whose reliability as a witness I am certain. Beatrice, patting her permanent delicately with two fingers and smoothing down her neat tan uniform, with its white piqué collar and cuffs, deposes and says:

"I am a member of the sales force in one of New York's big smart stores. I work in the branch up in Westchester County. Never mind the exact name of the town; let's not get personal. Sure, I'm a college graduate: Wellesley '33. Lots of the girls are college women, nowadays. Some of them don't have to work, and do it for fun. I need to, like most of the others.

"Our customers in the branch store are drawn exclusively from the upper-middle-class women of Westchester. The poor people who are within buying distance are afraid to enter our door, on account of the high prices. In three years I have learned plenty about wealthy women: plenty to turn your stomach, I mean. Don't get me wrong; I don't suggest that Westchester is a bit worse than any other place in the whole country where the average income in normal times is \$10,000 a year and up. The women I see are good typical specimens of what happens when a lot of people don't have to work for their livings, have never had any real education, and exercise power that outruns the limits of their character.

"The most striking thing about these women is their amazing rudeness. I don't mean that they deliberately set out to hurt your feelings. I mean that they are so naïvely selfish and egotistical that it never occurs to them to respect the wishes, or to have consideration for the sensibilities, of people whom they class as servants—which means everyone they meet, except their own circle. Girls in the beauty shop tell me that two of these women will come in together and loudly discuss the most horrifyingly personal details of their own lives and those of their friends as though they were being served by robots instead of human beings. If there was ever anybody who believed in the divine right of royalty, it is the American upper class, thinking about itself. Maybe this is why they hate Roosevelt so terribly—because he is the only person who ever said boo to them and said it in such a way that they had to listen.

"Another impressive thing about them is that so many are dishonest. Our store, like all others in its class, has charge accounts and permits the return of unsatisfactory merchandise. The way Westchester women abuse this privilege is a disgrace. I am confident that our prices could be a good deal lower if it weren't for the financial burden caused by this kind of business.

"One of these women will come in and spend the

morning shopping when she has no intention of buying anything. It gives her somewhere to go while her husband is in town, and she likes to look at the new merchandise. She will 'buy' hundreds of dollars' worth, taking up hours of the time of one or more sales people. It will be delivered next morning, and the following day, back it all comes. She knows she doesn't intend to keep it, and the sales girl knows, but we're not allowed ever to hint at this knowledge, though we may try gently to discourage her from sending home an unreasonable amount.

"Perhaps even worse is the woman who buys far beyond her husband's ability to pay. She simply tries to blackmail him into permitting her an impossible degree of extravagance. You'd be surprised if you knew how many Westchester women have had their charge accounts in all stores closed, on orders from their husbands.

"Many of them, regardless of their financial status, will abuse the charge-account privilege in another way, by ordering goods, using them and then sending them back to the store. Even if they have plenty of money, they think it is 'smart' to trick the store in this way. A woman who is going to an important social affair will buy an evening gown, have it altered and sent home, and then a few days later she sends it back on the ground that she did not like it. The gown shows conclusively that it has been worn for many hours, perhaps several times. They will do the same thing with hats, coats and even household equipment. Our chinaware department will tell you of women who have sent home a complete set of dinner ware and then returned it for credit without even having it washed thoroughly, so that remnants of food are still on the plates.

"An all-time record for this kind of thing, in my experience at any rate, was a woman who came into the shop wearing, under her dress, a bathing suit she had bought a few days earlier. She went into a dressing-room, peeled off the suit, said calmly, 'This suit just simply didn't work out,' and asked for a credit on her account. Only the other day, an important customer came in with a coat that she had had for a week, announced she didn't like it and asked us to take it back. We found in one pocket a very dirty handkerchief, and in the other a lipstick. It will cost dollars to have that coat made presentable again so that it can go back in stock. Much of the merchandise sent back for credit has been so badly used that it can never be sold again, at least to our clientele at our prices.

"The customers don't seem to know it, but they do a sales girl harm if they order merchandise through her that afterward comes back. The girl is of course penalized by having the amount deducted from her total sales; that is only fair. But more than that, if an unusually large percentage of her sales

don't stick, she is likely to be discharged, on the ground that there must be something wrong with her selling ability or she wouldn't have so many dissatisfied customers.

"One thing I must say is that older women are usually the worst offenders. If the daughter of one of these wealthy families goes to college and then takes a job of any kind, she seems to absorb some feeling of business ethics. Some of these younger women buy the way a man does—walk in, say what they want, look at a couple of choices, make a selection, and are out and away. No man ever returns anything he has bought for himself, and business women are pretty good about it, too. The only complaint I can make about the men who come into our store, trailing behind a Westchester woman, is that about 60 percent

of them will make a pass at you if they get a chance. Well, I'm not *complaining* exactly; I would feel worse if they didn't, I guess.

"I don't want to go philosophical on you, but I must say that looking at the kind of women I meet makes me a little gloomy about the future of our civilization, and whither are we trending, and all that. These women and their husbands and fathers are supposed to be the finest flower of American civilization. Some of them, certainly, are swell; I'm not talking about the exceptions, but the averages. If all the money and advantages leave the average with very few morals or manners that will bear inspection, what's the answer?"

To which the reporter can only echo, What, indeed?

BRUCE BLIVEN

Sharecropper Songs

Possession

Lee Wilkin owns
The very deeds of law
Proving without a flaw
Just what he has of Arkansas.

—Owns
A cotton dukedom county-wide,
Clutching it with a fierce pride.

—Owns
His railway bouncer bearing gun,
His sheriff on Highway Sixty One,
Who serve his court for human fate
Upon his realm of real estate.

—Owns
The qualm of duly shifting pelf
To pay the county, thus himself,
For use of all the needed tramps
Assigned to Wilkin's labor camps.

—Owns
The niggerknout with knotted thong
To simply right the vagrant wrong.

—Owns
The grim reminder left to see,
Suspended rotten from a tree,
Amid the penal pound.

—Owns
The cringing tones,
The muffled moans,
The spirit downed.

—Owns
The bones
In the ground . . .

One private pyramid of topless worth,
Deriving from the focal nave of earth,
Including right to any ore and oil

Beneath the staked apparency of soil,
Hence ranging broadward through the Seven Zones—
He owns, he owns, he owns,
He owns,
He owns.

Tractors Eat Kerosene

T-bones!
T-bones!
Lawd, cain't you heah me cry?
Must Ah weah out mah knee-bones
A-prayin' fuh T-bones?
Git plumb outta breath,
Git strangled to death
On de T-bones in de sky?

Even no fatback,
Lawd, braing dat back—
Slick fuh makin' greens go down!

Cotton-pick machine
Lives on kehosene:
Human go'na have to chaw groun'!

Sho' Nuff?

When pious cullid folkse
Git put away in groun'
Dey all go White to Heaben,
Dey all go White to Heaben
(Sho' nuff?)—
White, Jesus-White to Heaben,
No angel black er brown!

When Kluxers hang a Negra
Who neba did no crimes,
Dey all go Black to Hades,
Dey all go Black to Hades
(Sho' nuff?)—
Black, Negra-Black to Hades
To hang a hund'ed times!

H. H. LEWIS

Shoot the Works

Carney of The Times

WILLIAM P. CARNEY, who is with Franco and The New York Times, seems to be, among other things, naïve. Recently he made a trip to Burgos, Spain, in order to report such information as he could glean from Americans held prisoner by the Fascist forces. And Mr. Carney devoted a considerable portion of his dispatch to an account of the attitude of his fellow countrymen toward himself.

"When I asked," he writes, "whether they really believed that I was a Fascist or had ever worn any Fascist trappings most of them grinned and one just said, 'Skip it.'"

What Mr. Carney puts on his back is less important than what he puts into his dispatches, and under the circumstances, as outlined by the factual observer of The Times, "Skip it" should be rated as exquisite politeness and tact. But whether through twinges of conscience or a certain insensitivity, Mr. Sulzberger's gift to good will insisted upon pressing the point and projecting himself into the story. As the climax of his report he records, "As I was leaving I wished them all good luck. One of the hostile five who would not give their names was standing nearest my car, and he spoke then for the first and only time. 'I do not want any of your good luck,' was his muttered farewell."

I wonder whether it is really a matter of news that the conduct of Mr. Carney in Spain is not regarded as admirable by some Americans. Within his own craft there are those who do not think he has set a new high in journalistic ethics. And speaking as one member of that craft, I would not want even the thin edge of a "Good morning" from William P. Carney. Indeed, if he gave any such estimate of the weather I would immediately put on my raincoat and take along an umbrella and some rubbers.

In the light of subsequent events it might have been better in a purely practical sense if none of the Americans in the concentration camp had spoken to Carney even off the record. He did note some of their complaints against the treatment which they are receiving as prisoners of war, including the unprecedented fact that attendance at Catholic services has been compulsory. The major in charge told the missionary of The Times that he had recently recommended to the authorities at Burgos that unwilling prisoners should be excused. The pious jailer added, however, "Catholic services are all we can offer here, and I thought this would be better than no spiritual comfort at all. We must all worship the same God, I reasoned, but I was mistaken in hoping that just the church atmosphere might soften their antagonism a little."

Now, of course, Mr. Carney as a newspaperman should listen and report the conversation of an official who spoke with bitterness of the character and conduct of the American prisoners. But he errs in his assignment when he notes that the old major spoke "with evident regret." Here Mr. Carney voices an opinion and there are those who doubt his qualifications as an expert on evidence.

Moreover, in framing his story, the neutral from New York built his lead on the statement of the Franco official:

"They will complain," or "They will protest," etc. By putting these statements first the effect is gained of minimizing the later testimony of the prisoners whom Carney ostensibly came to interview. This is not an accepted usage. And again, before talking to the captives, Carney puts in his own word and writes, "In the camp kitchens I saw fish being fried in oil and huge caldrons in which red beans were being stewed with chorizo, a Spanish sausage made from ham and red peppers. This was served with bread, I was told, and exactly the same rations were given to the soldiers doing guard duty in the camp."

This is perfectly worthless testimony. Carney's visit had been arranged well in advance and the Fascist jailers might even have put on an exhibition of filet mignons being broiled if they had desired to impress the investigator of The Times. Naturally they did not go to all that trouble because Mr. Carney has shown a disposition to accept rather readily whatever is told to him by anybody on Franco's side. "There is an old disused monastery where 2,000 war prisoners now sleep without being overcrowded, it is declared." The odor of sanctity sufficed for Mr. Carney, I assume.

But the point where Mr. Carney, in my opinion, goes completely overboard and violates every decent tradition of journalism is the manner in which he treats confidential information. He records the fact that, "The prison officials all withdrew, leaving me to converse freely with the men as long as I liked." It may be said that the American captives knew Carney by reputation and that they were aware of the fact that he was covering the Franco cause for The New York Times. A strict constructionist might add that if any of the prisoners talked so freely that he rendered himself liable to torture and punishment that was his own fault. He should have known Carney. But that defense does not stand up. Carney himself records that the two spokesmen said, "The walls have ears around here and we do not want to make any admissions which might make our treatment worse."

Now I hold that in the language of any working newspaperman that is a clear compact that the conversation is to be off the record and used only for the purpose of background. In spite of that fact, Carney identified by name the two spokesmen who made the complaints about the conduct of their captors. He identified by name another prisoner who "pulled his shirt over his head to show several red welts on his bare back that had resulted, he said, from his having been beaten with a rubber hose earlier in the morning by 'a tough sergeant who objected to my not giving the Fascist salute to their flag and always refusing to kneel in church.'"

Carney put those three men on the spot. The Times decided that it would be useless and quixotic to cut out this betrayal of confidence because there was every reason to believe that the information was already in the hands of Franco's prison officials. This isn't just a question of bias. That, of course, is betrayed in such lines as, "As the major in charge predicted they would, the Americans complained loudly about their food and the generally unhealthy conditions." "I drank some of the water and it tasted all right." But a betrayal of a confidence is something more than bias. It seems to me almost inevitable that as soon as Carney left the prison the man who complained about a beating

received another. I even wonder whether they waited for the carrier of news to fly his way home.

The Times ought to recall Carney for this conduct. "I wished them all good luck." When he returns I hope that there will be a delegation of American newspapermen and women at the pier to say to the man who has done these things, "We do not want any of your good luck."

HEYWOOD BROWN

Washington Notes

F. D. R.'s Successor

THE PURGE of the anti-court Democratic Senators, which started as a pure-hearted effort to rectify American history, is apparently degenerating into two-bit practical politics. When the White House intimates devised the senatorial purge, three months ago, it was as part of a general program based on "politics of principle." They argued that if the democratic system was to be made viable, the country must have what it has lacked since Andrew Jackson's time—one political party that is genuinely liberal, and another genuinely conservative. The New Deal-Democratic Party, to serve the uses of democracy, must be made liberal deep into its core. This thesis received the explicit endorsement of Mr. Roosevelt when, in his nationwide radio speech in June, he said that there would be no place for "copperheads" in New Deal ranks.

Last month, when Mr. Hopkins, Mr. Corcoran and Mr. James Roosevelt intervened in the Iowa primary to prevent the renomination of Senator Guy M. Gillette, they were following "politics of principle." They did not foresee that their candidate, Representative Otha D. Wearin, would make so poor a showing as he did, but they were fully aware that they were undertaking a desperate, ding-dong fight. This did not frighten them. They were intent on founding a liberal party, not on winning a single state primary. From this point of view, it was almost better that Iowa should send to the Senate the Republican candidate, Mr. Lester "Dog-food" Dickinson, than a part-time liberal like Mr. Gillette. Mr. Dickinson would belong to the Opposition. He would not suddenly fail Mr. Roosevelt at such moments as the Supreme Court fight, when Mr. Roosevelt's general policy was at stake.

This brave program of politics of principle has slowly faded out, like an old daguerreotype, until it is hardly discernible. In his triumphant course across the continent, Mr. Roosevelt showed an excessive canniness. Then, too, with every halt of his train, he found himself besieged by Democratic Party workers tearfully entreating him not to exacerbate intra-party dissension. Of the nine Senators marked for purging, Messrs. Gillette of Iowa and Van Nuys of Indiana have now been renominated as Roosevelt party members. Mr. Clark of Missouri is without important opposition. Messrs. Adams of Colorado and McCarran of Nevada have rivals who were originally picked by administration strategists, but on his journey westward Mr. Roosevelt declined to give them his open, unequivocal support. In Connecticut, three pro-Roosevelt men have announced

their intention of opposing Senator Lonergan, but they have as yet no substantial administration backing. The purge list is thus reduced to three Senators, Tydings of Maryland, Smith of South Carolina and George of Georgia.

The present campaign is serving as a testing-ground for 1940 presidential possibilities. Among Democrats, the top candidate is Mr. Roosevelt himself. No other American is so well known, or has so solid a grasp on the imagination and affection of the voters. Does he want a third term? It is unnecessary to consider gossip that he silently looked out of the window when the subject was raised by Secretary of Labor Perkins, and that he smiled broadly when workers of the Colorado Fuel and Iron Corporation presented him with a third-term petition. Because of the great bulk of social legislation enacted under his leadership, Mr. Roosevelt already stands among the first half-dozen American Presidents, and of this he is obviously aware. He knows he does not need a third term to make secure his place in history. On the other hand, he is still in the fullness of his powers, and it is only human not to wish to be shelved. Almost certainly, Mr. Roosevelt has not yet himself decided whether he wants an additional term.

Usually a two-term President, through his appointees to federal jobs, can control a majority of votes in a national political convention. If Mr. Roosevelt decides to retire, he probably can name his successor. This does not mean, however, that there will not be anti-Roosevelt delegations in the 1940 Democratic convention. The Texas group—despite the surprising influence of Mr. Elliott Roosevelt—will belong jointly to Vice President Garner, Chairman Jesse Jones of the RFC and Senator Connally, and may easily be anti-Roosevelt. The Mississippi delegation will belong to Mr. Pat Harrison, and will be definitely anti-Roosevelt. So will the Virginia delegation of Senator Byrd. As matters now stand, however, the Democratic reactionaries would be a minority.

Many observers think that Mr. Roosevelt's first choice as crown prince would be Mr. Harry Hopkins. A quiet movement, engineered from Washington, is now in progress to have Mr. Hopkins picked as Democratic candidate for Governor of New York. If this movement should succeed, and Mr. Hopkins be elected Governor in November, the 1940 nomination would be foreclosed. Among other highly placed New Dealers, Secretary Wallace is perhaps the most conspicuous presidential aspirant. On occasion, he has differed sharply with Mr. Roosevelt, and as lately as last May warned against the attempted purging of Senator Gillette. Nevertheless, he is one of Mr. Roosevelt's most intimate collaborators.

Until a few months ago, Governor George H. Earle of Pennsylvania was widely tipped as the odds-on crown prince. During the recent Pennsylvania primary, however, ugly accusations were brought against his administration, and his presidential prospects have been weakened. With the friendly advice of Mayor LaGuardia, a number of New York labor leaders are backing Representative Jim Mead for the New York governorship. If Mr. Hopkins' boom should fail, and Mr. Mead be elected, he would become a likely heir. More remote possibilities are Solicitor-General Jackson, Governor Frank Murphy and Senator Barkley.

Conservative Democrats are clearly outside bets for 1940. Should the conservative wing of the party greatly increase its strength in the next two years, Secretary of

State Hull might be an acceptable compromise candidate. Mr. Hull and Vice President Garner bear the handicap of age, and Mr. Garner's position is further clouded by the fact that Mr. Jesse Jones, another Texan, has had a burning presidential itch ever since the 1928 Houston convention, where, in a glorious moment, the auditorium roof poured down bright-colored "Jones-for-President" balloons. On merit, the 1940 candidate of the Democratic reactionaries ought to be Mr. Burt Wheeler, who has been the brains of the New Deal opposition, but Mr. Wheeler's home state of Montana has insignificant weight in a Democratic national convention. Ex-Governor McNutt of Indiana and Senator Clark of Missouri are perhaps the two likeliest conservative choices.

The State Department is engaged in setting up a division of cultural relations, the immediate function of which will be to supervise an exchange of students with Latin America as part of a cultural program incorporated in the Buenos Aires "Good-Neighbor" treaties of two years ago. It will also take over the Latin American radio programs conducted by the Office of Education. Its broader purpose, however, is to offset the German and Italian propaganda that has for years been inundating Latin American countries. It starts with a brilliant flourish. In Brazil, the leading newspaper is now printing a daily supplement devoted to the wonders of the United States, and proposes to continue the supplements for a month. It is reported from Berlin that the anger of Dr. Goebbels' young men is kolossal.

Washington

T. R. B.

Other People's Money

The Boom and the Banks

I AM TOLD by many persons, particularly those who know little of Wall Street, that the market rise was the fruit of a rigging operation. I do not believe it. First of all, real, effective rigging is not so very easy now. True, where volume is small and where the demand for stocks is small it does not take much pressure to depress the market, or at least sections of it. But it is not so easy to put it up. I assume that the vigilance of the SEC on rigging operations which may be quickly detected has not been relaxed. It is probably true that as the market churned upward here and there some strategic moves were made to advance particular stocks. But the kind of rigging operations which are necessary to press a whole market upward are certainly not visible.

Another suspicion is that the administration itself has been booming it. I do not quite know how the administration can do this. It can give out boosting reports. But there have been no reports of business from the administration which could have been made the basis of a bull market. Moreover, if the administration wanted to bull things, this is a little early. It would wait until a date nearer the elections. However, it is foolish to discuss this rumor, since there can be no truth in it.

On the other hand, the market rise has had a lot of advertisement from business interests. Business leaders have rushed into print saying things were about to improve. The newspapers have printed headlines from which the average reader might gather that all fundamental indices of business were turning up, which is not true. Adequate data on June business have not yet come in for all things, but on those sections of trade on which reports have been made the indices are down for June. Construction figures were less than those for May. Bank loans were down. Bank deposits were down. Retail department-store sales were less than in May. Security issues were down. Employment is down. What important index is up? There has been a studied, and very understandable, effort by the papers to boost sentiment. And it has been fairly successful.

One of the extraordinary features about the present business situation is the enormous amount of cash in the banks. For a long time it was the total of government securities which astonished and disturbed observers. Even yet the bulk of bank funds either invested or loaned is in public securities. But the mounting sums of cash which are in neither private nor public securities but just in cash form the dominating characteristic of banks at present.

For instance, here is the great First National Bank of Chicago, second biggest bank in that city, with deposits of \$930,000,000. But it has in its own vaults or due from other banks in cold cash \$411,662,000.

The First National Bank of Boston has \$642,000,000 in deposits. Practically half of this, or \$302,000,000, is in cash.

The Continental Illinois National Bank of Chicago, largest bank there, has \$1,152,000,000 in deposits. Its statement reveals \$545,000,000 in cash. The National City Bank of New York has \$7,761,000,000 in deposits. And of this, \$610,000,000 is in cash either in the National City or due from other banks. The Chase National has \$2,152,000,000 in deposits and \$800,000,000 in cash.

Of course one may say this is a healthy condition. There are those who advocate complete liquidity—100-percent cash in banks. That may be essential to a sound banking system but it means an entirely different system from the present one. The facts are cited here to exhibit the fact that the banks are at that point which the financial advisers of Mr. Hoover dreamed of as the condition of recovery. That is, their pockets are bulging with cash and the cash ought to be burning those pockets. But apparently it is not, for loans do not increase.

The government, on the other hand, wants the banks to lend this money. The banks reply that they do not do so for two reasons. First, they do not have enough good borrowers materially to use up their available credit. Second, government bank examinations are so severe that they cannot take risky loans. The government recently replied to this by relaxing bank-examination rules.

The whole drift of the present banking authorities has been to break down slowly the severity of the rules respecting loans. For years the national banking system discouraged long-term loans of all sorts. Now the national government has taken the lead in attempting to encourage all sorts of long-term loans in both federal and state chartered banks. Twenty-year loans on mortgages in commer-

cial banks which are supposed to be liquid! Now long-term security loans! In fact the government seems to be willing to go to any length to encourage the banks to take risks. But in spite of this the cash piles up, the government loans at banks pile up, but the private loans do not.

There is a strange feature about the estimated budget of the President which needs a little more examination to straighten out. There is, according to Mr. Roosevelt, a probable deficit of four billions.

Obviously you would expect these four billions would be caused by the increase in recovery and relief expenditures. However, in the figures presented by the President you find an estimated increase in relief and recovery expenditures of only about \$113,000,000 and in the emergency loans and grants and revolving funds of only \$220,000,000, or a total of \$333,000,000.

Of course tax revenues will fall off heavily—about \$1,241,000,000 less. But this accounts for only about 35 percent of the deficit. It looks as if a large part of it would be found in the increased ordinary expenditures of the government.

JOHN T. FLYNN

People on Record

WHEN I LOOK BACK over the popular recordings that have seemed worth buying in the last few months, it seems the phonograph industry has been very lucky to have the same two or three groups rising above the flat vast monotony of pop tunes and name bands putting them listlessly on wax. The first of these is Benny Goodman (Victor), of whom I believe enough has been said here and elsewhere so that people get the idea. The second is Count Basie, the great stomping piano player and band leader from Kansas City (on Decca). For a long time after this present band was organized its recorded work sounded as though they were going over a new tune in the dark with half the band still in bed—there was more noise than unison and more volume than pitch, so that you had to follow it around on one-night stands if you wanted to hear it at just the time when everybody got tuned up simultaneously and the stand began to jump. I may get a chance to do a little more on Basie while he is still packing them in at the Famous Door in New York City this summer, but all you have to do at present is pick up any of the recent Decca releases: "Topsy," "Sent for You Yesterday, Here You Come Today," "Blues in the Dark," "Good Morning Blues." All of them good on both sides, and when they aren't good they're terrific.

But the main text for today is the work of a couple who have gone right on quietly being the best for a long time—Red Norvo and his orchestra and Mildred Bailey, wife and vocalist. The orchestra formally records under the Brunswick label, but their best work recently has come out on Vocalion, under the name of Mildred Bailey.

Years ago, when the Whiteman orchestra was still the wonder of the land and one of the elements of its show was the three Rhythm Boys (Bing Crosby was one), Al Rinker (another) took Whiteman to his home for dinner and had his sister sing a tune or so for the big man afterwards. The girl was working in some sheet-music store or

other on the West Coast, playing and plugging tunes the way girls used to in dime stores and the like all over. She had a little voice, restrained in her throat somehow, but there was a strange power of music in it, the beat of feeling and the round perfect pitch. Whiteman knew a good thing when he stumbled across it and presently little Mildred Rinker had become Mildred Bailey, and a theme song was written for her by Hoagy Carmichael, who had fallen for that voice like a brick chimney, and she was famous.

Well, she worked with Whiteman and she recorded with this and that, but the time of fame was fairly brief because much as anybody would hate to admit it, Mildred got to be known among orchestra leaders as a gal with a pretty stiff case of say-who's-running-this-band-me-or-you? She dropped out of sight almost completely, such is the shortness of popular memory, and if you wanted to find Mildred you had to dig up one of the records that were gradually being cut out of catalogues altogether. Around 1933 she did one or two with Benny Goodman, and perhaps a year later she sang some songs with the little pick-up recording bands Teddy Wilson was getting together then. Otherwise you would have thought she had died.

But it only seemed so. I remember several years ago when Mildred came out on the stage at the Paramount Theatre in New York (and that is a pretty tough audience there—there of all places you would expect popular applause to change to jeers overnight). Mildred sang a couple and it went over very well, and then on an encore the band went into "Old Rockin' Chair," which was the theme song Hoagy Carmichael had written for her to be known by, and by the second bar there was that tough audience banging its hands to show it remembered and knew, and when she sang you could have heard a pin drop, and it was all very lovely and there was that feeling in the house.

Well anyway, Mildred married Red Norvo (whose name is Kenneth Norville if you can whip up any interest) around six years ago, and they're together since like a hand and a glove (their family life is known as a relaxed and slightly fantastic one, because Red loves music and Mildred and fools around playing piano or his xylophone and Mildred is a great eater and drinker. God knows what she weighs and probably only God cares. She goes on diets and promptly breaks them to eat some barbecued pig with Harry Goodman when he blows in and she owns a farm in Washington and once sent to Memphis for fifty pounds of spareribs to be shipped airmail because she figured the boys would be getting hungry sometime—Red around all the time with that sweet smile and a sort of boyish zest in the proceedings that is contagious).

Of all the instruments in the category, the last anybody expected to have played with feeling, and swing and delicacy and all that was the xylophone, or, as they say, woodpile. But of the thousands of kids whose eyes were bigger than their talent, Norvo was the one to bring it up to a point where people didn't laugh any more. He played around in vaudeville and musicians here and there caught his act. He got known, and while Mildred was still with Whiteman she got him into the show. The early thirties were the jazz doldrums, but by 1934 Red had

made a couple of records for Columbia that were distinctive enough in style to be talked about: "I Surrender, Dear" and "Blues in E-Flat."

Shortly after that he had worked up a six or seven-piece band to play around the Fifty-second Street spots, and by then there was no doubt that he had something new, and that it was good.

(This has rambled so far that it may as well ramble farther when there is space next week or later. I started talking about the records and I think you ought to be told about the records.)

OTIS FERGUSON

The Bandwagon

Who said capital and labor want peace? The struggle between the two is what made America. The moment you get collusion, you wreck the machine. The strife has raised the standard of living. — *Frederick C. Crawford, president, Thompson Products, Inc., in a speech reported in The Daily Metal Trade.*

High British society, which dearly loves its cocktails, probably hopes Premier Chamberlain won't be too severe on Benito Mussolini about those ship bombings off Spain. Because it would simply be too bad if anything should happen to cause Italian Ambassador Dino Grandi to stop throwing those elegant parties in London. — *From the society column of The New York World-Telegram.*

And now, thanks to the proprietors of Bile Beans, midnight is melody time! — *Announcement, in English, over the French radio station, Radio Lyons, quoted in The New Statesman, London.*

Nice Work If You Can Get It

The idea that Clark Gable formulated is an important one. Don't give up your bread-and-butter until you have enough money to carry you over. Work at two jobs—the one you are paid for, and the one you want. — *Dale Carnegie, in his syndicated column.*

Solidarity Forever

Republicans regard the South as just as much a part of this country as any other section. — *John D. M. Hamilton, chairman of the Republican National Committee, quoted in an Associated Press dispatch from Washington.*

Good Try, Though

Four Fascist party chiefs were injured today attempting to show Premier Mussolini their gymnastic ability.

Two federal secretaries fell on the points of bayonets over which they were trying to jump from a springboard.

Another was scorched leaping through a ring of fire.

A party inspector landed on top of a tank and injured his chest. — *Associated Press dispatch from Rome printed in The Chicago Daily News.*

Wonders-of-Science Department

When an irresistible force strikes an immovable body an impasse occurs that makes it necessary for one of the two to give way or a deadlock is established. — *Frank H. Vize-telly, writing in the New International Year Book (1937).*

Better to Marry Than to Burn?

Compensation: Women who lose their jobs because they marry or smoke cigarettes may collect unemployment compensation in Pennsylvania. — *From an item in The Survey.*

Our readers are invited to contribute to this column and \$1 will be paid for each item used. Address The Bandwagon, care of The New Republic. — THE EDITORS

Correspondence

Mrs. Lane Classifies Herself

SIR: This week [July 6] one of your contributors (who has never met me and has no grievance against me that I know of) uses the old device of partial quotation and misconstruction to represent me as overworking, underpaying and Ladybountifulling my employees. I read this with eyes bulging with an amazement which you may share when you know that my little misquoted article states that I am employing (unfortunately very temporarily) union men at union wages and hours, and that I think it atrocious that they expected to eat cold food on my lawn while I ate a hot lunch indoors.

I belonged to a union myself until it and my job were smashed when we went on strike in 1906. I've recently done a five months' stretch of the hours I used to work then, sixteen a day, seven days a week, though I am technologically unemployed because the old CTU has gone where the proud Mississippi Pilots' Union went when railroads came. But such changes do not affect the essentials of human relationships. It seems to me that today, and especially here in the East, there is far too much class distinction, too much emphasis on groups and organization, and far too little regard for the basic fact that we are all human beings.

This is what I wrote, and who would have thought that such a little yip from a Missourian astonished in Connecticut would have brought down Jovian thunders upon me? Well, it only proves what I have said. Your contributor classifies me, I suppose, because I also stated the obvious fact that too-high wages reduce employment. One trouble with such classification is that it will work only as Procrustes' bed; real human beings do not fit categories. If he ever tried to treat me as the type he describes, he would find that—like that last top step of the stairs in the dark—I wouldn't be there.

Danbury, Conn.

ROSE WILDER LANE

Mr. Hammond in Rebuttal

SIR: In The New Republic of June 29 you published in The Bandwagon a quotation from Rob Wagner's Script. In this item Cornelius Vanderbilt Jr. reports an alleged conversation with me. He has so distorted the facts that I cannot remember saying a single word that he quotes.

As to Franco and Spain, I feel that the eventual outcome will be the same whichever side wins. I commented on the poor quality of the Franco propaganda. I said I knew many Spaniards fighting with Franco. I certainly don't think either side can claim to be "right." I can remember saying that it would have been fun to have a reporter's job in Spain—which Mr. Vanderbilt interprets as my wanting to die for Franco.

I cannot remember inferring that Mr. Roosevelt was a Communist or had switched to communism to gain his ends. Even the most deluded don't believe that—I certainly don't. I do remember saying that the political potentialities in organized labor are great and that I thought control of the big union vote

would spell victory. I also said Mr. Lewis is not as "radical" as the conservatives think and that they will soon realize this. That is very different from Mr. Vanderbilt's version.

The sentence about "feeding the unemployed with bullets" is too silly to need any explanation—it verges on insanity. The whole quotation is a figment of Mr. Vanderbilt's imagination. It certainly did not express my opinion or, I hope, my attitude.
New York City OGDEN HAMMOND JR.

SIR: I have read Mr. Ogden Hammond Jr.'s letter to *The New Republic* in which he states that I misquoted and misinterpreted some remarks he made to me in Washington in the presence of three other persons. I have nothing to add to or subtract from the report of his conversation which I made in my column of *Rob Wagner's Script*, April 30. My reason for repeating anything that Mr. Hammond said then or at any time was that it distressed me grievously that anyone possessing such opinions as he was giving utterance to should seek public service.

Toronto, Ont.

CORNELIUS VANDERBILT JR.

Words Leading to Words

SIR: Heywood Broun has apparently joined the "Free Speech, Butters—" [*The New Republic*, July 13]. He condemns the American Civil Liberties Union for insisting that the absurdities of Elizabeth Dilling should not be banned from the radio and for objecting to an interpretation of the Wagner Labor Act, which would deny the right of free speech to employers. To him the Union should limit itself to free speech for the underdog. In other words, Broun would have us abandon the fight for civil liberties as such, in favor of another cause, to wit, fighting for a class.

There are organizations of that kind and they do good work but they make no pretense of fighting for civil liberties in general. If I am not mistaken, there was once a Red Aid in Russia which, after the Revolution, fought for the rights of workers in other parts of the world. If, for instance, Rumania imprisoned workmen, the Red Aid took up the cause and aroused world propaganda. Needless to say, the Red Aid has taken no part in fighting for civil rights in Russia. We of the Civil Liberties Union feel that the so-called underdog is better off if civil rights are maintained for everybody, that the theory of free speech for all should be the basis for any civilized society. We are of the opinion that we should all be better off if men expressed their emotions by words rather than by clubs. Of course, this may not apply to employers who, as Heywood knows, never use clubs!

New York City

ARTHUR GARFIELD HAYS

Housing in Wisconsin

SIR: In your issue of June 22, Mr. Bertram M. Gross writes that fourteen states do not have legislation enabling them to participate in the program of the United States Housing Authority, and cites Wisconsin as one of these states. Mr. Gross is in error on this point. Wisconsin has had the necessary legislation since last fall. To date, however, only one city, so far as I know has taken advantage of the Wisconsin Housing Authorities Law, that city being Superior. A proposal to establish such an authority was recently considered by the Madison Common Council. In Milwaukee more than one hundred organizations coöperated last fall and winter, through the Milwaukee Public Housing Council, in an effort to get an authority for their city. They put up a magnificent fight, but so far as I know, their efforts are still stymied by a reactionary group in the city council.

Madison, Wis.

SCOTT KEYES

From The New Republic Mail Bag

Roger William Riis of New York City and Junius Eddy of Stone Ridge, New York, agree with Arthur Garfield Hays, whose letter, printed in another column, criticizes Heywood Broun's "Free Speech, With Reservations" (July 13). Mr. Riis writes: "Broun's regard for civil liberties differs in no way from Hague's 'There's plenty of free speech in Jersey City if you talk right.' Mr. Broun would shut off the right, Mayor Hague the left. . . ." Mr. Eddy expresses very much the same sentiments: ". . . Like Mr. Broun I don't like reactionaries, but unlike Mr. Broun I feel that they should be treated justly in a democracy."

Jessie Bullock Kastner of South Tacoma, Washington, finds a "semantic confusion" in the sentence in an editorial footnote to the letter from the Editors of *Soviet Russia Today* (July 6): "This theory still seems to us the best explanation of why revolutionaries became traitors." She says that in 1917 "revolutionary" described one who did not like the current government. Today "traitor" is the word used to describe the same men doing the same thing. The real change, she says, has been in the point of view of the observer. . . . The *New Republic* has so far received contributions totaling \$56 for the campaign fund of Mr. Maury Maverick, seeking reelection to the House of Representatives from Texas.

Mrs. David B. Greenberg, chairman of the National Youth Aliyah Committee of Hadassah, 1860 Broadway, New York City, writes about the movement to remove Jewish children, mostly of school age, from Germany, Austria and Poland to the coöperative agricultural colonies and trade schools of Palestine. So far 2,200 German-Jewish children and a small group from Poland have been given new homes and occupations and opportunities for education there. Their case histories show a remarkable facility for adapting themselves to the new environment. But thousands more are begging for the same opportunities. Hadassah hopes to provide for the permanent settlement of 1,000 children in Palestine before September 30, when the favorable immigration schedule will expire. It costs \$360 to maintain and educate a boy or a girl for two years.

What's on the Air?

Paul Bellamy, editor of *The Cleveland Plain-Dealer*, talks on "The Bar and the Public," Sunday, July 24, 2:30 P.M., NBC-Red Network.

"The Farmer Takes the Mike," an agricultural forum from Springfield, Vermont, Sunday, July 24, 4 P.M., CBS.

"The People's Platform," dinner-table forum conducted by Lyman Bryson of Columbia University, Wednesday, July 27, 8 P.M., CBS.

University Town Meeting of the Air from Denver University, Friday, July 29, 8 P.M., NBC-Blue Network.

Musical and dramatic programs of the week include "Murder in the Cathedral," by T. S. Eliot, presented by the Columbia Workshop, Saturday, July 23, 7:30 P.M., CBS; "Carmen," presented by the Cincinnati Summer Opera Association, Saturday, July 23, 11 P.M., NBC-Red Network; Willem van Hoogstraten conducts the Lewisohn Stadium concert, Sunday, July 24, 8:30 P.M., CBS; John Buchan's "The Thirty-Nine Steps" dramatized by the Mercury Theatre Players, Monday, July 25, 9 P.M., CBS; O'Neill's "Beyond the Horizon" in the series of Pulitzer Prize plays, Thursday, July 28, 9 P.M., NBC-Blue Network; Alexander Smallens conducts the Philadelphia Symphony Orchestra, Friday, July 29, 9:30 P.M., Mutual; and Rudolph Ganz conducts the Women's Symphony Orchestra from Grant Park, Chicago, Friday, July 29, 10:30 P.M., NBC-Blue Network.

All times given are Eastern Daylight Saving Time.

Books in Review

Self-Help and Government Aid

WHEN JOSEPH ALSOP, of the admirable columnar team of Alsop and Kintner, takes issue with a review of mine and insists there is "politics" in the administration of Pennsylvania relief, I am more than willing to listen. For Alsop has studied the matter on the ground and has put it up to Senator Guffey directly. But most of the criticism of "politics" in relief is so obviously of the "I got it from Joe Doaks, who had it straight from a WPA employee in Kankakee" vintage that it is difficult to refrain from getting a little hot about it. Centralized power being what it is, susceptible of terrible abuse, it is extremely easy to be plausible about the possible horrors of federal aid to the indigent. But it is so easy to make seemingly axiomatic statements on this subject that one should be doubly careful to check the facts and watch the tongue.

I have in mind President Hopkins of Dartmouth, who is earnestly concerned lest the New Deal create a feeling of passivity, of "Let the Great White Father do it," in the youth of today. President Hopkins is honest and sincere, and he *sounds* right. But he sounds right only if you forget that all America is not Dartmouth College and that the social context of 1938 is not the social context of 1898. It is bad to cultivate a feeling of dependence in able, healthy kids who have a reasonable chance to do something for themselves under their own steam. But when you have an apathetic, undernourished, half-moribund case on your hands, the correct therapeutic thing to do is to feed him and give him the opportunity to acquire a skill or two before heaving him out into the world on his own. What President Hopkins has to say may make sense when it is applied to the Dartmouth undergraduate body. It does not make so much sense when applied to the 3,900,000 unemployed youth between sixteen and twenty-four who were unable to get a place in private industry last November.

"A New Deal for Youth,"¹ by Betty and Ernest K. Lindley, is at least a partial answer to President Hopkins' fears. The story of the National Youth Administration, an agency that was created in 1935 by executive order of the President, this book is a record of relief money that has been well invested. As far as can be judged from the records which the Lindleys have carefully combed, the National Youth Administration has done more to create a feeling of self-reliance in young America than anything since the Alger books. In case after case the Lindleys tell of young people who have been lifted from a sense of self-defeat by NYA pay-checks and training in some fundamental skill such as carpentry or farming. The pay-checks are not very munificent (the average is \$15.73 a month), and the work, which ordinarily must be co-sponsored by local state or city agencies, is not sufficient to take care of more than a fraction of the young people who are unemployed or unable to afford vocational school or college. But

for a few hundred thousand destitute boys and girls, the NYA has meant work, self-respect and the opportunity to continue their education on at least a part-time basis.

The Lindleys take you around the country and show you boys and girls studying how to become farmers or seamstresses or stenographers on so-called Residence Projects (really coöperative schools). They show you young people building community centers, making furniture for schools and public institutions, grading tennis and basketball courts, planting trees and cover crops, running contour lines on eroded hillsides, trapping Japanese beetles, helping county agricultural agents, creating parks and swimming pools and wild-life conservatories, repairing fire-department equipment and automobiles, and doing a hundred other things that result in useful occupational training. Some of the projects—such as those for weaving blankets by hand—impressed the Lindleys as being dubious; blankets can be made more economically by machine methods. But in general the work done by the NYA is socially desirable and adds to the fundamental wealth of the country.

The trouble with the Lindleys' book, as a book, is its haphazard construction. There are far too many pages which repeat a version of this: "At Topeka, we saw seventeen powdered blue-shale tennis courts constructed by NYA boys under the sponsorship of the City School Board, which furnished \$2,733.33 for materials." After reading of a hundred and fifty such projects one feels like a contractor who has suddenly gone surrealist. And there are far too many paragraphs that start this way: "A sample test taken among 3,700 boys in 92 towns shows that 54.1 percent. . . ." Having had, for my sins, to analyze and synthesize a few sample tests myself, I know the difficulties under which the Lindleys have labored. But the job of broad-stroking statistical data can be done. The Lindleys might profitably have cut down on their buttressing evidence (a lot of it appears in appendices, anyway) and they might profitably have devoted more space to one specific Resident Project, or even to one specific boy working, say, for a county agricultural agent or on a schoolhouse project in the Kentucky hills.

Consumer coöperation is a great thing, and there should be a great deal more of it in this country. There should, too, be more producer coöperation and more credit unions. Having said as much, I hope I will not be mistaken for an enemy of the coöperative movement for what I am about to say about Bertram B. Fowler's "The Lord Helps Those. . . ." Mr. Fowler has been visiting up in Nova Scotia, where, raying out from St. Francis Xavier University in Antigonish, the coöperative movement, both consumer and producer, is going great guns. I will take Mr. Fowler's word for it that coöperation has revived whole communities of miners, farmers and fishermen in eastern Nova Scotia. But Mr. Fowler is so entranced by the spectacle of a group of people saving themselves without gov-

¹A New Deal for Youth, by Betty and Ernest K. Lindley. New York: The Viking Press. 365 pages. \$3.

¹The Lord Helps Those . . . by Bertram B. Fowler. New York: The Vanguard Press. 189 pages. \$1.75.

ernment aid that he begins recklessly to prescribe consumer and producer coöperation for the entire continental domain of the United States. He forgets that wishful coöperators can hardly hope to start steel plants or automobile factories in competition with Mr. Weir or Mr. Ford; they simply haven't got the necessary capital or access to natural resources. It is one thing to urge producer coöperation in marketing on farmers and fishermen; it is another thing to tell automobile workers and rolling-mill employees to start their own factories. If our coöperators would advocate a mixed economy, with self-help dominant in one sector and government control dominant in another, we might be on the road to the democratic society of the future. I urge economic pluralism on Mr. Fowler, who is much too busy being bump to the socialist's hollow. JOHN CHAMBERLAIN

Poetry and Meaning

Westward Under Vega, by Thomas Wood Stevens. New York: Covici, Friede. 143 pages. \$2.

Said Before Sunset, by Frederick Mortimer Clapp. New York: Harper and Brothers. 86 pages. \$2.

Winter Burning, by Lindley Williams Hubbell. New York: Alfred A. Knopf. 65 pages. \$2.

Natural History, by Raymond Holden. New York: Henry Holt and Company. 91 pages. \$2.

Dawn Is Forever, by E. Merrill Root. Chicago: Packard and Company. 114 pages. \$2.

POETRY, wrote Gerard Manley Hopkins, tentatively, "is speech framed for contemplation of the mind by hearing, or speech framed to be heard for its own sake and interest even over and above its interest of meaning . . . at least the grammatical, historical and logical meaning." This implies that some attempts at poetry might fail because the grammatical, historical and logical meaning prevails too much over the sake and interest of the framed speech. Others might fail because the grammatical, historical and logical meanings are deliberately broken or distorted, or because the framed speech can so insist on its own sake and interest that any pretense to other meaning is forsaken outright. We may find verse too pedestrian (or even reptilian) for our taste, or too ethereal, to use an old-fashioned word; we may pass it up as too public and commonplace, or as too subtle and private. Our tendency at present—though there is some evidence that the tendency is wearing thin—is to be pretty suspicious of anything that has an ordinary look, and much too lenient toward anything that claims to be a product of the modern consciousness.

The several books at hand may serve to illustrate the argument. As far as "Westward Under Vega" is concerned, there is little interest in the framework of the speech; what matters is the logical development of the narrative. The writer today who elects to tell a story in verse is subject to considerable burden of proof; this particular yarn rather rambles and lacks those elements of structure one is supposed to expect of the better grade of novels. The metrical vehicle that carries it, like the model-T Ford which conveys the protagonists, has a strictly utilitarian adequacy to its purpose. Mr. Stevens' occasional lyric flights, his excursions into commentary and rhapsody, are less seemly, more incongruous. The book is amiably engaging

rather than memorable; its virtues are those of homeliness, charity and lack of pretension.

"Said Before Sunset," by Frederick Mortimer Clapp, shows what happens when a writer forgets that poetry is speech framed for contemplation of the mind by way of hearing, and overcultivates the appeal to the mental eye. An excessive preoccupation with images no doubt is related to the fact of poetry's becoming too much a property of the printed page, an address, as it were, to the entirely deaf, without essential thought of how it sounds. But unless the poems move, unless the rhythms go with the images, especially where these are presented in appalling profusion and succession, the effect is one of clutter, bump, junk, shop-window stuff without decorum or arrangement. Even toward his own ends, Mr. Clapp works crudely, with too much of adjective and adverb, and not enough pure noun and verb to create the necessary severity of effect.

The title of Mr. Hubbell's book, "Winter Burning," acknowledges that he has derived benefit from a study of Louise Bogan's work, and his poems in general are so adumbrated by various admirations that one is acquainted with his own poetic personality as a quiet presence moving in shadow. He has, however, the courage of his admirations; with his humility goes an impeccable taste, and he never succumbs to cheap, lush or vulgar effects. If his unconscious at times achieves some curious syntheses, as in the combination of Millay-Yeats-Donne in the sonnet on page 5, or that of Millay-Marianne Moore in the six-line lyric called "Face," his writing on the whole testifies to a sensitive spirit, strict control, an occasional sly humor, a laconic decency of speech, a fine ear.

Mr. Holden works in the same precise rhythms as does Mr. Hubbell, and has a tendency to the same kind of language, but he is a good deal more stubborn, and, for all his excellent observation of the visible world, more self-centered a poet. "Natural History" is a hard book to read at one sitting, and the poet is entitled to some satisfaction in thinking that the reader will have to come back to it more than once. The poems require of the attention a sustained study; the presence of a meaning beyond the grammatical, historical and logical meaning is more often indicated than the meaning definitely conveyed. Mr. Holden's poetry is frequently that of the still moment in the dance, rather than the movement of the dance itself; there is an arrested, trancelike quality about it, the statement of a man bemused, that is very difficult to come at. It is poetry not simply for the mind's contemplation by way of hearing, but of the mind's contemplation by way of stillness:

Music that was an artifice is gone
From me, and those that have a stillness here
In this dry field of a valley men think unkind
Have made a chord, sunlight, stubble and stone,
And they are singing it aloud in mere
Silence that is better than music in the mind.

Simple-mindedness is a curious trait to encounter in a modern poet, and it is at the same time Mr. Root's treasure and dross. At his worst he comes close to the ordinary in both prosody and sentiment; at his best he rises to a burning pride and innocence, a capacity for joy and affirmation that does not at all contradict a tragic sense of life. Mr. Root is not an official "imagist," but his eye is, if anything, quicker than his ear; his creative impulse often

outruns his critical care, and he would very much rather, one suspects, write a new poem than prune an old one. Delight in his work is like that in a natural, if tangled, landscape; for like the unexhausted soil, Mr. Root is productive in a lavish, uncultivated way that does not worry over repeating itself, and will give you flowering weed as lovely as tended bloom. His exuberance does not often arrive at such fierce and controlled concentration as he achieves in "The Rattlesnake":

What Word of subtle hate
Became such flesh as he?
Lidless and cold, his eyes
Sleep in malignity.

Without a hand to strike,
He strikes with all his length—
Black diamond-scribbled sword.
Death is his single strength.

Cold, very cold, and yet
Thorned with the lightning, he
Sounds ghostly drums of death
In a strange clemency.

Then past that humming truce—
Fantastical, concise—
His thin fangs strike and leave
The Fire-that-Ends-in-Ice.

Mr. Root does not have a fashionable following, but the reader who is tired of the obscure, the finical, or even the very careful, can go to him with considerable satisfaction.

ROLFE HUMPHRIES

Action Stuff

Scoop, by Evelyn Waugh. Boston: Little, Brown and Company. \$2.50.

Signing Off, by John T. McIntyre. New York: Farrar and Rinehart. \$2.50.

The Bridge in the Jungle, by B. Traven. New York: Alfred A. Knopf. \$2.50.

WORKING on material suggested by his time as correspondent in Ethiopia, Evelyn Waugh has cooked up a yarn as absurdly bare-faced as it is inevitable, about the adventures, blunders and chance triumph of William Boot, who through a horrible mischance became the special correspondent covering the revolution in Ishmaelia for a big London daily. William Boot was a country innocent, a sort of J. Otis Swift, and it is one of the chief characteristics of the Waugh irony that while that hard-bitten gang of agency and "special" news men would have torn him like a herring, his dumbness and simple generosity landed the news-break of a generation in his exclusive lap while they were off at their conniving.

There is no denying that Waugh is spiteful, that the corrosive of his ridicule never proves something false so that the truth may shine by contrast, or that he never betrays the slightest compassion, conviction or admiration of anything but the satanic in abstract. Yet he is delightful, because he has one of the most fertile imaginations in fiction and a writing style that is all scrupulous taste and pure felicity; and he is salutary, because certainly nothing pompous, stupid or smug that has been laughed at in his bright way of laughter can ever be quite so crushing in the world again. Even granting this, his deliberate juggling of material so that he will never have to admit the good and true and beautiful would be marked and protested if it were not for his complete and careful documentation, a shot in the bull's-eye every time. What he says is so neat and likely we can hardly quarrel with what he doesn't say.

And so this grotesque of the mild little chap running serenely foul of the knavery and double-talk of news-hawks, editors and local types builds as sweetly as you would hope to see, its urbane malice as bright and sharp as tin: it is not only delightful but true—that is, as the editor's yes-man says in the story, "up to a point."

The ease of John McIntyre's fiction is something else again, making good reading in a different way. "Signing Off" is a story of the lives in a modern city, deliberately set to catch them on many different levels. The central character is heading up the small local rackets—yet a good fellow, a hearty good Catholic, and never a word said against him anywhere. The first part of the book moves largely on the quick inferential speech of characters from the fast life: later on it shifts to the warmer and more homely stuff of honest citizens working out the problems of their kitchens and living rooms—and here again McIntyre is at ease, here too there seems more depth of feeling and conviction. Everybody is drawn into the doings of one night, which culminates in a murder and the wrecking of many hopes; but it is not strained and certainly never a thriller. The people who take part, many of them distinctive of character, are there because it was

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their place to be there. And the terrible drunken brother moving through the bars with his pale eyes becomes a figure of retribution. There is a little too much talk for the sake of talk, especially the off-side religious discussions of Shevlin and the priest. But whatever else might be said, here is a man writing who knows many curious and interesting things, and what is more, knows how to set them moving on paper.

For all the publicity that has built up around the mysterious American author of books selling abroad by the thousands, I should tell you at the start that in the three books he has had published here B. Traven writes like a fish. I don't mean just that his manner is so heavy and his slang so uncolloquial that you can hear the thuds, but that as stories his novels are low-pressure. This is a little hard to say, for while his mind delights to stray in the repetitive trivialities of aboriginals and letters from your Aunt Elsie, his heart is in the right place—with the people who work and take the knocks and hitch up their belts, suffer, sweat, do and die, always without a spokesman. Hands in the forecastle, broken-down white prospectors and traders, above all the Indians of Mexico—these are the people that move him to compassion, anger and understanding.

"The Bridge in the Jungle" is about the Indians in a scrawny interior village—their customs and condition of life (the oil company dominates the region) shown through conversation and the incident of a child's being drowned on a gala night. Well, the scene was unforgettable and he says the word unforgettable. The Indians are both simple and inscrutable, and he uses those words. One of the troubles is that B. Traven hasn't read enough or closely enough to know the difference between tragedy and truism. But a deeper trouble is that his story doesn't ever leave the ground, without which writing is just setting down words. With a tougher experience and surely a bigger heart than Evelyn Waugh, he lacks just the magic to make what he is talking about real, whereas the elegant Englishman has learned his craft and can bring the dead and almost-never-never to life dancing before your eyes.

OTIS FERGUSON

Land of the Broken Promise

The New Poland and the Jews, by Simon Segal. New York: Lee Furman. 223 pages. \$2.

POLAND offers a demonstration of the progress toward medievalism implicit in modern fascist dictatorship. Reconstituted as a nation with the support of democratic public opinion throughout the world, and committed to equality of treatment for her minority groups, Poland has systematically violated her promises.

The first part of Mr. Segal's book surveys the political developments involved in Marshal Pilsudski's seizure of power and the near-chaos that the termination by death of his personal dictatorship left to the surviving government of colonels. Their effort to stay in power without popular mandate at any and every cost—by dint of military nationalism, concessions to reactionary landlords and sops to church and economic interests in the form of encouragement to anti-Semitic groups—involved at the same time

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a complete unwillingness to face the nation's basic agrarian problem. The consequence is, as Mr. Segal shows, that the productiveness of the people, their standard of living and their purchasing power have reached nearly, if not quite, the lowest position of any in Europe.

The futility of fomented group hatreds in dealing with such a situation, the damage to the country's internal economy inflicted by the systematic oppression and pauperization of minority groups, as well as the danger for the world of such a course, are made clear. Anti-Semitism appears here in its characteristic function of lightning-rod to carry off the dangerous charges accumulated by misgovernment, demagoguery and reaction.

Mr. Segal's book is recommended to students of European history and of contemporary world affairs.

HERBERT J. SELIGMANN

Fisher of Idaho

Forgive Us Our Virtues: A Comedy of Evasions, by Vardis Fisher. Caldwell, Idaho: The Caxton Printers. \$2.50.

Vardis Fisher: Challenge to Evasion, by David Rein. Preface by Vardis Fisher. Chicago: Normandie House. 63 pages. \$3.

PLACING VARDIS FISHER is one of the sharpest problems offered by recent American writing. Fisher's sincerity is so marked and his refusal to be beaten down is so gamely stubborn that he may seem at times to be a more significant novelist than he really is. Perhaps his best work has not been in the novel at all, but in those Federal Writers' Project books about Idaho which he turned out almost single-handed; they are warm with love of a familiar terrain and they establish a valuable precedent for the genre by seeing the pioneer settlers realistically rather than in the First-Families-of-Idaho tradition. The same honesty of outlook informs Fisher's nakedly autobiographical Vridar Hunter tetralogy, though the novels in that series are weakened by the extremeness of the "tell it all" urge, which dims the selective faculty, weighing down the story with extraneous personal detail and smothering potentially effective scenes.

Before considering his new novel, "Forgive Us Our Virtues," it will be interesting to turn to another recent book, the first about this author. David Rein's "Vardis Fisher: Challenge to Evasion" is an energetic Marxian study of most of Fisher's previous work, with a dissenting preface by Fisher himself. More than half of Rein's critique is a compressed history of the social forces that projected Vardis Fisher and his writing. He tries to prove that capitalism has a hypocritical coloration whose effects are far-reaching. He cites Mencken, Dewey, Lippmann and Woodrow Wilson as instruments of the great evasion, and singles out Vardis Fisher as an author who has challenged it by steadily presenting inconvenient truths. But Rein is afraid that Fisher may himself slide into evasion because his approach to the problems of today is essentially psychological rather than sociological. Fisher answers this charge in the vigorous preface, which he calls "In Defense of the Obvious": while not altogether rejecting the sociological, he insists upon the psychological elements in a novel as being of primary importance.

"Forgive Us Our Virtues" is largely built around the "auto-correctivism" theories of the author's brother, Dr. V. E. Fisher, who believes that the individual seeking adjustment must integrate and bring into balance his conflicting "egoistic and racial drives." And with three of the novel's main characters appearing as "psychotherapists," the story is emphatically clinical. Most of the people in the book (seen in the different environments of provincial university, big city, Western mountainside and tank town) don't have their egoistic and racial impulses coördinated, and lapse into drunkenness and sexual despair.

The sketched actions of the characters seem in the main credible, but their conversations sound like a bad textbook and the people themselves never become a part of daily living humanity. There are good bits of episodes, occasionally some welcome comedy, but too many incidents are left unresolved, too many characters remain hanging raggedly—even the enviably adjusted psychotherapist who is the author's spokesman is never seen except obliquely, as the focus of action jerks from one person and place to another. And the sustained final section—which has one of the most frustrated characters becoming fulfilled in a love experience that once again frightened Eastern publishers away from a Vardis Fisher book—cannot dispel the general impression of spasmodic awkwardness.

It is not a pleasant duty to list the faults of an author with so much talent and honesty and sense of human justice. But what can be said? Admirable personal qualities can't make a novel out of scrambled case histories. Psychological knowledge is of great benefit to any novelist, but it must be used with caution and skill. Perhaps Fisher could probe deeper into the current evasions if he also had a social scalpel, and his work might be given a logic and balance it now lacks. But the whole solution isn't so simple. Because Fisher has fallen into the trap of writing novelese, part of the answer to his problem would have to be technical. And another important part of it would, I think, depend upon the fuller reassociation of his writing with the region from which it sprang. Fisher's most successful stories have been in the *Heimatkunst* vein, and have concerned the frontier people he grew up among, and the bucolic-brutal life of Western farms. There are plenty of psychological and social difficulties to be found there, among people who don't talk about Life like sophomores at a bull-session. And there Vardis Fisher's talent may find its best possibilities of strength, in its own dark earth.

HARRY THORNTON MOORE

New Books: A Reader's List

NEW STANDARD YEAR BOOK FOR 1937, edited by Frank H. Vizetelly (Funk and Wagnalls, \$1). This annual (condensed mainly from The New International Year Book) covers in concentrated form all topics from Agriculture to Zoölogy and all events of importance in 1937, with special stress on events at home. The gazetteer material cannot be praised highly enough; but the interpretative comments often reflect the conservative prejudices voiced in the Preface.

TWO HUNDRED THOUSAND FEET: THE EDGE OF THE WORLD, by Michael Powell (Dutton, \$3.50). The story of how the author "shot" 200,000 feet of film in



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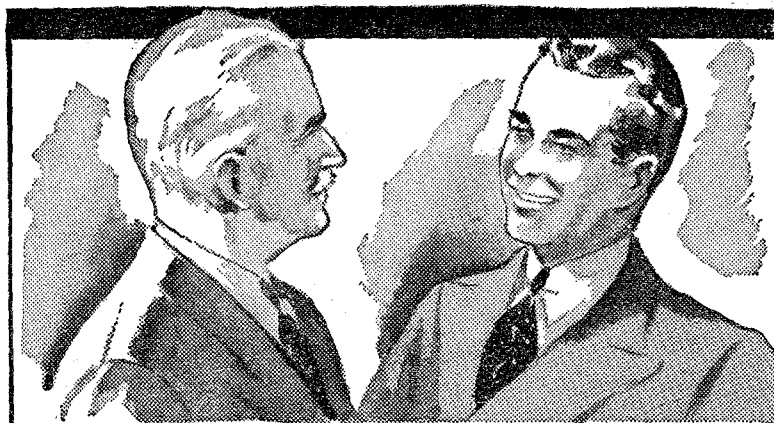
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IF YOU are just an average cigarette smoker you are probably wedded to one brand and may remain wedded to it after you've read our report on CIGARETTES in the July issue of CONSUMERS UNION REPORTS.

In spite of that, however, we think you'll find this report one of the most illuminating and interesting Consumers Union has ever published. In preparation for eight months, this report:

1. Rates more than 40 brands, by name (including Camel, Chesterfield, Old Gold, and Lucky Strike), for nicotine content and strength;
2. Tells you the physiological effects of smoking;
3. Presents data from carefully controlled smoking tests and laboratory tests;
4. Gives facts about de-nicotinized cigarettes and about the new filter-holders advertised as de-nicotinizers;
5. Discusses methods of stopping smoking and gives six rules for "seeming to smoke" which will reduce the injurious effects of smoking to a minimum.

Besides this report, the July issue also contains the results of laboratory and use tests on GASOLINE, SUNBURN PREVENTIVES, and several other products—with ratings by brand name as "Best Buys," "Also Acceptable," and "Not Acceptable." The report on GASOLINE shows how it is possible to make annual savings of from \$15 to \$50 on gasoline expenditures.

REFRIGERATORS

ARE YOU planning to buy a refrigerator? If so, you will find the results of tests on 1938 refrigerators, published in the June issue of CONSUMERS UNION REPORTS, indispensable in making your selection. They point the way to savings from \$20 to \$40 on the purchase price alone and show which brands offer the most substantial annual savings on operating costs. Twenty models are rated in this report in the estimated order of their merit.

Another report in this same issue rates 17 brands of DOG FOOD as "Best Buys," "Also Acceptable," and "Not Acceptable," and discusses the proper feeding of dogs. If you have been led to regard canned dog foods as adequate feeding in themselves, you owe it to your dog to read this report. Still other reports in this issue cover MEN'S HANDKERCHIEFS, CANNED STRING BEANS, CANNED FRUIT SALAD, CLEANSING TISSUES, FRESH FRUITS and VEGETABLES, and other products.

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making "The Edge of the World," a movie with one of the Shetland Islands as its locale. There are ramifications and anecdotes and much of what passes for humor. The author is a young movie director.

BREATHE FREELY! THE TRUTH ABOUT POISON GAS, by James Kendall (D. Appleton-Century, \$1.50). A British chemist, leaning heavily upon official sources, overplays his hand in a defense of the "humaneness" of poison gas in war. He almost succeeds in making chemical warfare a perfect substitute for cricket on the playing fields of Eton—gas masks and all.

WALT WHITMAN: Complete Poetry and Selected Prose and Letters, edited by Emory Holloway (Random House, \$3.50). Includes all of the man's poems except a few juvenile verses, as well as generous selections from the prose and nearly 200 pages of letters; the most complete of the one-volume Whitmans. The editing is first-rate, but the bookmaking is not up to the usual standard of the Random House one-volume series.

MILTON: Complete Poetry and Selected Prose, edited by E. H. Visiak (Random House, \$3.50). Another addition to the one-volume series of great authors. The prose is less fully represented than in "The Student's Milton" published by Crofts, but the poetry is here in full. There are excellent new translations of Milton's Latin and Italian poems, besides a chronological table and thirty pages of notes. In general a fine job of editing and bookmaking.

Contributors

GEORGE SELDES' most recent book, "You Can't Do That," was published last April by Modern Age Books. He is now at work on "Lords of the Press," which Julian Messner will publish in the late fall.

WALDO FRANK, after his visit to the Spanish front, recently returned to London, where he is finishing a long novel for fall publication.

FLORENCE BECKER, who has studied and taught Anthropology and Psychology, has contributed poetry and prose to a number of periodicals and anthologies.

H. H. LEWIS writes: "Yes, I'm a farmhand, still on the farm. As for the local color, I'm Red. There it is in broad impressionistic strokes; the field green, the sky blue and myself red. I earn no wages at all, just milking cows and doing chores for my keep, managing thus to have time for writing swing poetry and pestering the Kaffee Klatsch Klan. My biggest problem is to find an extra odd job now and then for raising postage money." Lewis has published four booklets of poetry and has a fifth, "Midfield Sediments," now in the printer's hands.

WALTON HAMILTON, professor of Law at Yale, is the author of several volumes on economic subjects and is a frequent contributor to legal and economic periodicals.

ROLFE HUMPHRIES, poet and critic, is the author of "Europa," a book of verse. He was recently awarded a Guggenheim fellowship for creative writing in the field of poetry.

HERBERT J. SELIGMANN, author, among other books, of "The Negro Faces America," is at work on a new book in the field of Anthropology.

HARRY THORNTON MOORE, formerly literary editor of The Beacon, is devoting his time to a novel on Oliver Cromwell's army.